

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos.1657-1658 OF 2021
(ARISING OUT OF SLP (C) D. No.10566/2021)

ALPHONSA JOSEPH @ ALPHONSA ROSE JOSEPH APPELLANT(s)

VERSUS

ANAND JOSEPH @ ANAND VELLAPATTIL JOSEPH RESPONDENT(s)

O R D E R

Permission to file SLP is granted.

Leave granted.

The present appeals arise from an interim order dated 09.4.2021 in a custody dispute between the parents of a seven year old girl child.

By the impugned order, the High Court has permitted interim custody of the girl child with the respondent for one month from 15.04.2021 to 16.05.2021. The child has also been permitted to travel abroad with the respondent.

After consideration of the submissions made on behalf of the parties, that the present appeals arise from an interim order, and the fact that the custody of the child has still not been handed over to the respondent, we direct as follows:-

The appellant shall handover the custody of the child to the respondent tomorrow i.e. 24th April, 2021. The respondent shall have interim

custody of the child till 24th May, 2021. The child shall be handed back to the appellant on 25th May, 2021.

We restrain the respondent from taking the child abroad to any destination including Dubai. The child shall remain within the State of Kerala, while in the company of the respondent.

The respondent while having custody of the child will permit and facilitate interaction between the appellant and the child by video conferencing twice a week.

We request the High Court to take up all connected appeals for final disposal at an early date at its own convenience.

The appeals stand allowed to the extent indicated.

.....J.
(NAVIN SINHA)

.....J.
(AJAY RASTOGI)

New Delhi;
23rd April, 2021.

ITEM NO.8 Court 10 (Video Conferencing) SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No.10566/2021

(Arising out of impugned final judgment and order dated 09-04-2021 in MATA No. 868/2020 13-04-2021 in IA No.4/2021 passed by the High Court of Kerala at Ernakulam)

ALPHONSA JOSEPH @ ALPHONSA ROSE JOSEPH Petitioner(s)

VERSUS

ANAND JOSEPH @ ANAND VELLAPATTIL JOSEPH Respondent(s)
(FOR ADMISSION and I.R. and IA No.55981/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.55982/2021-EXEMPTION FROM FILING O.T. and IA No.55979/2021-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 23-04-2021 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE NAVIN SINHA
 HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Ms. Liz Mathew, AOR
 Mr. Philip Mathew, Adv.
 Mr. Dalbi Emmanuel P., Adv.
 Ms. Sonali Jain, Adv.

For Respondent(s) Mr. V. Chitambaresh, Sr. Adv.
 Mr. Lakshmeesh S. Kamath, AOR
 Mr. C. Govind Venugopal, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Permission to file Special Leave Petition is granted.

Leave granted.

The appeals stand allowed in terms of signed order.

(RASHMI DHYANI)
COURT MASTER

(DIPTI KHURANA)
COURT MASTER

(Signed order is placed on the file)