

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition(s)(Civil) No(s). 829/2020

MINOR AARUSH KUMAR THROUGH NATURAL GUARDIAN MOTHER
PREETI

Petitioner(s)

VERSUS

DEVRAJI

Respondent(s)

(FOR ADMISSION and I.R. and IA No.69282/2020-EX-PARTE STAY and IA
No.69283/2020-EXEMPTION FROM FILING O.T.)

Date : 13-08-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s)

Mr. Vipin Kumar Jai, AOR

For Respondent(s)

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

This Transfer Petition is filed by the minor *Aarush Kumar*, through his mother *Preeti* for transferring the Custody case filed by the paternal grandmother of the child, before the Court at Sultanpur, U.P. to a competent court at Amritsar, Punjab.

Mr. Vipin Kumar Jai, learned counsel for the petitioner submits that two sons were born to the couple but in the unfortunate accident on 19.10.2018, the father and the elder son died while the mother and younger son *Aarush Kumar* was injured. Since then, the younger son is staying with the mother at Amritsar.

Alleging that the mother has remarried, the grandmother has applied for the Custody of *Aarush*. According to the counsel, the

petitioner is dependent on her sister and has not remarried. She is concerned about the welfare and education of her son if the grandmother takes custody. She will face serious difficulty in contesting the Custody case at Sultanpur.

In view of above, let notice returnable in four weeks be issued.

In the meantime, there shall be stay of further proceedings in the Guardian Case No. 5 of 2019, titled "*Devraji Vs. Minor Aarush Kumar*", pending before the Court of Principal Judge, Family, Court, District Sultanpur (U.P.).

(JAGDISH KUMAR)
SENIOR PERSONAL ASSISTANT

(KAMLESH RAWAT)
BRANCH OFFICER