

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

I.A. NO. 7 of 2013 IN

Petition(s) for Special Leave to Appeal (Civil) No(s).20276/2011

(From the judgment and order dated 05/07/2011 in MA No.265/2010 of The HIGH COURT OF KERALA AT ERNAKULAM)

SMITHA MATHEW & ORS.

Petitioner(s)

VERSUS

PRASOON KURUVILA

Respondent(s)

(With appln(s) for interim custody of child and prayer for interim relief and office report)

Date: 05/04/2013 This Petition was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE GYAN SUDHA MISRA
HON'BLE MR JUSTICE KURIAN JOSEPH

For Petitioner(s) M/S Mitter & Mitter Co.,Adv.

Mr. John Mathew

Applicant

Mr. Shishir Pinaki, Adv.

Mr. Renjith Shanker, Adv.

Mr. Sanjay Jain, Adv.

For Respondent(s) Mr. Sanjay Jain,Adv.

Mr. Mohit Abraham ,Adv

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

This is an application seeking permission of this Court to have interim custody of the minor son Kavin during the summer vacation holidays which starts from April end of 2013. The applicant-father has sought permission to have interim custody of his minor son from 1st May, 2013 to 31st May, 2013 to spend

..contd.

-2-

some good time with his minor son. The Counsel for the petitioner who is the mother of the child has no objection as she has given her consent to this interim custody which arrangement is continuing ever since 2012. It is submitted on behalf of the applicant - father that as the main matter is pending final disposal, this arrangement of interim custody be allowed to continue.

In view of the request made as also the consent given by the Counsel for the petitioner-mother, we direct that the custody of the minor son of the contesting parties be handed over to the applicant-husband/ father of the child Kavin at the local counsel's chamber at Pathanamthitta on 1st May, 2013 at 10.00 a.m. From 1st May, 2013 to 30th May, 2013 the child after spending this period with his father i.e. 30th May, 2013, shall be delivered back to the petitioner-mother at the local counsel's chamber at Pathanamthitta on 31st May, 2013 at 4.00 p.m.

During the period in which the child will be living with his father is free to talk to his mother on telephone, mobile or by any other mode of communication.

I.A. No. 7 is disposed of.

| Sr. PA

| (Jyoti Gupta)

| Court Master

| (Sneh Bala Mehra)

|