

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.6 in

Petition for Special Leave to Appeal (Civil) No.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)

(Appln(s) for permission to have interim custody of minor child with office report)

Date: 03/12/2012 This application was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE D.K. JAIN

HON'BLE MR. JUSTICE MADAN B. LOKUR

For Petitioner(s) Mr. Mohit Abraham, Adv

for M/s Mitter & Mitter Co.(N/P)

For Respondent(s) Mr. Mathai M. Paikeday, Sr. Adv.

Mr. Shishir Pinaki, Adv.

Mr. Sanjay Jain, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A. NO.6 IN SLP(C) NO.20276/2011

By this application, the applicant - respondent - husband is seeking permission of this court to have interim custody of his minor son 'Kevin' during the Christmas Holidays.

Mr. Mohit Abraham, learned counsel appearing for the petitioner - mother, states that he has no objection to handover the custody of the child to applicant - father from 24th December, 2012 to 6th January, 2013. We feel that the offer is very fair.

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Consequently, we direct that the custody of the child 'Kevin' shall be handed over by the mother to the applicant - husband at the local counsel's Chamber at Pathanamthitta on 24th December, 2012 at 10.00 a.m. The custody of the child shall be delivered back to the petitioner - mother by the applicant - husband on 6th January, 2013 at 4.00 p.m. at the same place.

During the said period, the mother and the child shall be free to speak to each other over telephone, mobile or by any other mode of communication.

The application stands disposed of in the above terms.

| (VINOD LAKHINA)

| COURT MASTER

| | (KUSUM GULATI)

| | COURT MASTER