

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

CIVIL APPEAL NO(s). 8306 OF 2010

JAINAB KHATOON @ TAHIRA

Appellant (s)

VERSUS

ABDUL AHAD

Respondent(s)

(With appln(s) for exemption from filing O.T., directions, permission to file additional documents and office report)

Date: 10/01/2013 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appellant(s)

Mr. Rashid Saeed, Adv.
Mr. Vivek Sarin, Adv.
for Mr. Irshad Ahmad, Adv.

For Respondent(s)

Mr. Anis Ahmed Khan, Adv.
Mr. Shoaib Ahmad Khan, Adv.

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

Counsel for the two sides are present. Along with the counsel for the petitioner, the youngest child, namely, Anisur Rehman, is also present in the Court.

Unfortunately, the arrangement envisaged under our order dated April 17, 2012, did not materialize. But, we are informed that the two younger children, namely Obaidur Rehman and Anisur Rehman are admitted in Class X in People's Inter College and Class VIII in St. Thomas' School respectively. Both the schools are situated at Dumaria Ganj, Siddharth Nagar, Uttar Pradesh.

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Like on earlier occasions, we had a detailed engagement with Anisur Rehman.

The child appears to be quite bright. We asked him to write something and we found that his hand-writing is quite good and neat for his age and the class in which he is studying. The child explained to us in detail where the school is situate, the timings of the school, the subjects that he is taught in Class VIII, the name of his class teacher and similar other details.

He appeared to be quite happy and satisfied with the way he is living at present. We do not want to disturb the present arrangement in which the children are quite happy and they are also going to schools.

Learned counsel appearing for the respondent (the husband) suggested further improvement in the present arrangement. He said that at present the children's mother (the petitioner) lived in a village with her father at some distance from the place where the schools are situated. He submitted that the respondent is willing to make arrangement for the mother to live near the school with the children. The respondent is prepared to find out a suitable

accommodation at Dumaria Ganj, Siddharth Nagar, Uttar Pradesh, for the mother and the children to live together and would also deposit the money for the rental of the house.

We appreciate the offer made on behalf of the respondent. However, the finding of a proper accommodation may take some time.

In the meanwhile, the Court asked the learned counsel for the respondent that in order to show his bona fides and his feelings for his children, the respondent should make some monetary offer to meet the expenses of the children's education. The Court suggested that it

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would be a good gesture for the respondent to deposit a sum of `1,00,000, apart from the amount of maintenance that is to be paid under the orders of the Court, which would be spent exclusively over the children's education.

Learned counsel submitted that he would take instructions from his client and respond to the Court.

Put up on February 07, 2013 at 3.30 p.m.

|(N.S.K. Kamesh)

| |(Sneh Bala Mehra)

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|Court Master

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