

ITEM NO.62

COURT NO.6

SECTION XI

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

Petition(s) for Special Leave to Appeal (C) No. 12987/2023

(Arising out of impugned final judgment and order dated 28-03-2023 in FA No. 417/2023 passed by the High Court Of Judicature At Allahabad)

SANA KHATOON ZAIDI

Petitioner(s)

VERSUS

HAIDAR ABBAS

Respondent(s)

(IA No. 121465/2023 - EXEMPTION FROM FILING O.T. and IA No. 190083/2023 - INTERIM CUSTODY)

Date : 04-12-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE  
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIHFor Petitioner(s) Ms. Sumita Hazarika, Adv.  
Ms. Sadhana Sandhu, AOR  
Ms. Shikha Sandhu, Adv.  
Mr. Gobo, Adv.For Respondent(s) Ms. Preetika Dwivedi, AOR  
Mr. Abhisek Mohanty, Adv.UPON hearing the counsel the Court made the following  
O R D E R

At this stage, as an interim measure, we direct the respondent 'Haidar Abbas', to handover the custody of the child of the parties to the proceeding 'Aaban Abbas', to the petitioner for two nights, i.e., on 08.12.2023 and 09.12.2023.

We are apprised in course of hearing that at present, 'Aaban' is with his father at Bareilly, Uttar Pradesh. We direct the respondent-father to

bring the child to Agrasen Park at Bareilly on 08.12.2023 at 05:00 p.m. and handover the custody of the child to the petitioner for two consecutive nights (days inclusive). The custody of the child shall be given back to the father on 10.12.2023 at 05:00 p.m. at the same location. It is submitted before us by the learned counsel for the petitioner that in course of these two nights(and days), the child would be residing with the petitioner-mother in Bareilly itself.

The petitioner and the respondent shall exchange their mobile phone numbers to facilitate this exercise. The petitioner is directed to deposit her passport before the Registrar (Administration) of this Court on 05.12.2023. The Registrar (Administration) shall retain the passport in his custody until further order of this Court.

We shall take up the matter again for hearing on 12.12.2023.

(SNEHA DAS)  
SENIOR PERSONAL ASSISTANT

(VIDYA NEGI)  
ASSISTANT REGISTRAR