

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9921 OF 2017
[@ SPECIAL LEAVE PETITION (C) NO. 18742 OF 2017]

NISA & ANR. Appellant(s)

VERSUS

BINSHA Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. Having heard the learned counsel on both sides, we are of the view that the petition now pending before the Family Court should be finally disposed of. Accordingly, we direct the Family Court, Attingal to dispose of O.P. (G&W) No. 450 of 2017 expeditiously and preferably within a period of six months.
3. We are informed that the child is now with the appellants. We direct that status quo, as on today, shall continue till the matter is finally disposed of by the Family Court. We also direct the Family Court to see that the respondent is given visitation rights of the child intermittently.
4. In view of this Judgment now passed, nothing survives in OP (FC) No. 346 of 2017 pending before the High Court of Kerala and it is, accordingly, disposed of.

5. We make it clear that the Family Court will try and dispose of the petition uninfluenced by any of the observations and findings, either by the Family Court in the interim order or by the High Court or by this Court.

6. With the above observations and directions, this appeal is disposed of.

7. The Registry shall communicate a copy of this Judgment to the High Court of Kerala as well as to the Family Court at Attingal forthwith.

There shall be no order as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[R. BANUMATHI]

New Delhi;
July 31, 2017.

ITEM NO.45

COURT NO.6

SECTION XI -A

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(s). 18742/2017

(Arising out of impugned final judgment and order dated 11-07-2017
in OP No. 346/2017 passed by the High Court Of Kerala At Ernakulam)

NISA & ANR.

Petitioner(s)

VERSUS

BINSHA

Respondent(s)

(FOR ADMISSION and I.R.)
(EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)
(EXEMPTION FROM FILING O.T.)

Date : 31-07-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Thomas P. Joseph, Sr. Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, AOR
Mr. Sriram Parakkat, Adv.

For Respondent(s) Mr. Jaimon Andrews, Adv.
Mr. Mukund P. Unny, Adv.
Mr. Naresh Kumar, AOR

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

Leave granted.

The appeal is disposed of in terms of the signed
non-reportable Judgment

Pending interlocutory applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

(Signed non-reportable Judgment is placed on the file)