

HIGH COURT OF CHHATTISGARH, BILASPUR

WPHC No. 15 of 2015

1. Farha Khan W/O Shri Irfan Khan Aged About 38 years R/O C.K. Towers, Chhaddha Badi, Nehru Nagar, Bilaspur, P.S. Civil Lines, Tahsil & District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. The State Of Chhattisgarh Through : The Secretary, Home Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Tahsil & District Raipur (Chhattisgarh)
2. The Collector, Sukma, District Sukma (Chhattisgarh)
3. The Superintendent Of Police, Sukma, District Sukma (Chhattisgarh)
4. The Superintendent Of Police, Bilaspur, Tahsil & District Bilaspur (Chhattisgarh)
5. Police Station, Civil Lines, Bilaspur (Chhattisgarh)
6. Irfan Khan S/O Shri Anwar Ur Rahim Khan Aged About 48 Years R/O Additional S.P. Head Quarters, Sukma, C/O The Superintendent Of Police, Sukma, Tahsil & District Sukma (Chhattisgarh)

---- Respondent

For Petitioner : Mr. S.C. Verma, Advocate
For Respondent/State : Mr. Arun Sao, Dy.A.G.
For Respondent No.6 : Mrs. Fouzia Mirza, Advocate

Petitioner and respondent No.6 are also present in person.

Order On Board

02/07/2015

Per Pritinker Diwaker, J

This petition has been titled as Writ Petition (Habeas Corpus) wherein it has been pleaded that children of the petitioner and respondent No.6 namely Fiyona Khan and Arhan Khan are in illegal custody of respondent No.6. It has been prayed that the State authorities be directed to produce the children of the petitioner before this Court and to take appropriate steps for

custody of the children.

02. Counsel for respondent No.6 as well as respondent No.6 submit that both the minor children are in the Court, they are free to live with the petitioner and respondent No.6 would render all possible help for happy and comfortable living of the children with the petitioner.

03. The petitioner has taken custody of her two minor children. She states that she would take them along with her. She further states that she is ready and willing to live with respondent No.6; whenever respondent No.6 wants to come to her house, he can come and live with them and he can also take them with him whenever he feels like.

04. Learned counsel for the petitioner submits that though he has prayed for some more relief in the writ petition, but for the time being he is not pressing the same as the petitioner has got custody of her minor children. He submits that at this stage, the petition can be disposed of reserving liberty with the petitioner to approach the Court again, in case occasion so arises.

05. In view of aforesaid submissions of the parties, now nothing remains in this petition to be adjudicated. The petition, accordingly, stands disposed of.

Sd/
(Pritinker Diwaker)
J U D G E

Sd/
(I.S. Uboweja)
J U D G E