

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.5731 of 2015

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ORDER:

Heard.

The petitioner herein complains of unlawful and illegal interference by the 3rd respondent with regard to civil dispute pending between the petitioner and the 5th respondent. The petitioner also states that he has already filed O.P.No.186 of 2015 before the Family Court at Hyderabad, seeking custody of the minor child by name Mohammed Khaja Khaleelullah Ansari. While the said O.P. is pending, on the complaint of the 5th respondent, the 3rd respondent is interfering with the civil dispute pending between the petitioner and the 5th respondent.

Learned Government Pleader has received instructions, which state that the 5th respondent made complaints before the Assistant Commissioner of Police, Charminar, on 03-02-2015 and 28-02-2015 alleging that the petitioner has forcibly taken away her son and requested to take appropriate action. The said complaint was forwarded to the 3rd respondent and for verification purpose, the 3rd respondent did phone call to the petitioner, but he was not available on phone. However, on enquiry, he came to know that guardianship O.P. is pending and therefore, the 3rd respondent advised both the parties to approach the said Family Court and that police cannot interfere with the custody matters.

In view of the said instructions, therefore, it is apparent that the respondent police after preliminary enquiry, advised both the parties to approach the Family Court and they have not interfered with the civil dispute pending between the parties. Therefore, no further orders are necessary.

Accordingly, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 11-03-2015

Prv

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