

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO.2592 OF 2021

Deepmala w/o Sanjay Ranyevale ... **APPELLANT**

VERSUS

Sanjay @ Santosh s/o Bhalchandra
Ranyevale ... **RESPONDENT**

.....
Mr. S.B. Madde, Advocate for appellant
Mr. M.B. Sandanshiv, Advocate for respondent
.....

CORAM : R. G. AVACHAT, J.

DATE : 14th DECEMBER, 2021

PER COURT :

Heard learned counsel for the appellant and learned counsel for the respondent. Also interviewed all the three children to ascertain their wish.

2. The appellant is the mother. The respondent is father. The elder daughter Janvhi is studying in 10th Standard. She informed this Court to have been staying with the appellant mother for the last 8 to 10 days. She expressed her desire to continue to stay with her mother/ appellant while the younger daughter Divyashree and son Ansh expressed that they are happy with their father and the

grandparents.

3. Since the welfare of the minors is the paramount consideration in a case of their custody matters, and all the three children appear to be of the age of somewhat understanding, the matter needs to be decided in deference to their wish.

4. In view of the above, the appeal is partly allowed in terms of the following order :-

ORDER

- (i) The custody of the elder daughter Janvhi is legally with the respondent father, but factually for the last 8 to 10 days, she has been staying with the appellant mother. The appellant mother is, therefore, granted her custody till further orders.
- (ii) Whereas the custody of younger daughter Divyashree and son Ansh to continue with the respondent father.
- (iii) Rest of the terms of the impugned order to stand unaltered.

The appeal thus stands disposed of.

(R. G. AVACHAT)
JUDGE

fmp/-