



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.7933/2023

Javed Khan s/o Jafar Khan .vs. Shahnaj Bano w/o Javed Khan

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. Sufiyan, Advocate for petitioner.

CORAM : **ANIL L. PANSARE, J.**

DATE : **JANUARY 20, 2025**

Heard.

2. Petitioner – husband is aggrieved by order dated 08.09.2023 passed by the Trial Court, refusing to grant custody of children. The Court below found that three children are below six years and thus require care of mother i.e. the respondent. The Court further noted that the proceedings under the provisions of the Protection of Women from Domestic Violence Act, 2005, are pending and thus there are allegations of domestic violence against the husband.

3. In the aforesaid background and having found no other good reason and allegations against the respondent – mother, the Court thought it proper to continue custody with the mother, in the welfare of children.

4. The aforesaid finding appears to me to be in tune with the settled norms. The Court below found that welfare of children is of utmost importance in deciding the custody matters. The approach of the Trial Court is in tune with the provisions of law. No interference, therefore, is called for in supervisory jurisdiction under Article 227 of the Constitution of India. The writ petition is, accordingly, dismissed. No order as to costs.

(Anil L. Pansare, J.)