

ITEM NO.5

COURT NO.5

SECTION IV-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). 30761/2016

(Arising out of impugned final judgment and order dated 08-09-2016 in CCCN No. 1236/2015 passed by the High Court Of Karnataka At Bangalore)

RAJIV VIJAYASARATHY RATNAM

Petitioner(s)

VERSUS

SAVITHA SEETHARAM

Respondent(s)

Date : 15-02-2018 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr. Sanjay Jain, AOR
Mr. Vinay Arora, Adv.

For Respondent(s) Mr. R. Basant, Sr. Adv.
Mr. Anand Sanjay M. Nuli, Adv.
Dr. M. Sunil Sastry, Adv.
Mr. Abhinav Ramanand, Adv.
Mr. Dharm Singh, Adv.
Mr. Suraj Kaushik, Adv.
Mr. Nanda Kumar K.B., Adv.
For M/S. Nuli & Nuli

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

After litigating for the last seven years resulting in 67 cases between them, the parties are still not able to come to a reasonable solution to the matrimonial disputes between them. Torn between them is a helpless child of 9 years, who is mentally and emotionally traumatized. The Court cannot be a mute spectator in such a situation.

We feel that in the interest of the child, the Court should now take care of the child. He should not be torn in between the warring parents and their families. We direct both the sides to file a list of schools which have the best boarding in the country. The list shall be submitted to the Court within two weeks from today.

We also do not find any justification to continue the interim order of stay of all the litigations. However, we propose to pass final order on stay when we finally dispose of this case after seeing the list of the schools.

The Principal, National Academy of Learning, is directed to continue the child in the school until further orders.

We direct both the sides not to interfere with the smooth education of the child in the school. However, we direct the Principal and the teachers concerned to keep both the parents informed of the school activities and permit both of them to participate. We also make it clear that this order shall not stand in the way of the parties, on being better advised, finding a solution on the only remaining dispute on custody of the child.

List on 09.03.2018.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR