

Ever since the appellant and the respondent started living apart child is in the care and custody of the appellant-mother – Mother had relocated abroad as she was given an option by her employer to relocate there as a part of a restructuring exercise – Whatever be the reason underlying her relocation , it is evident from the material on record that the purpose of the appellant in doing so was not to place the child outside the jurisdiction of Indian courts – The fact that the parents of the appellant have moved to Bengaluru to help their daughter, does not transfer the custody of the child, either as a matter of law or fact, from the appellant to the maternal grand-parents –

Interests of the child require that the appellant be allowed to take the child with her to the country where she is working and where she resides – Directions passed. Guardian and Wards Act, 1890 (8 of 1890) – Hindu Minority and Guardianship Act, 1956 (32 of 1956).

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