

***THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
* THE HON'BLE SMT. JUSTICE RENUKA YARA**

**+ WRIT PETITION NO.29562 OF 2025
(CNR NO.HBHC010588332025)**

% 18.09.2026

#

...Petitioner

v.

\$ State of Telangana, rep. by Principal Secretary,
Home Department, Secretariat Buildings,
Hyderabad, Telangana and Three Others

... Respondents

!Counsel for the Petitioner : Mr. S. Raghuram, learned counsel
representing Ms. K. Sridevi,
learned counsel.

^Counsel for Respondents : Mr. T. Ravi Kumar, the learned
Assistant Government Pleader
representing the learned
Additional Advocate General for the
respondent Nos.1 to 3.

Mr. P. Rama Sharana Sharma,
learned counsel representing
Mr. Chetluru Sreenivas, learned
counsel appearing for the
respondent No.4.

<Gist :

>Head Note :

? Cases referred

1. (2010)1 SCC 174
2. (2013) 15 SCC 790
3. (2010) 1 SCC 591
4. (1987) 1 SCC 42
5. (2019) 7 SCC 311
6. (2021) 12 SCC 376
7. (2018) 2 SCC 309
8. (2020) 3 SCC 67

**THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA**

**WRIT PETITION NO.29562 OF 2025
(CNR NO.HBHC010588332025)**

DATE OF ORDER:18.09.2026

**RESERVED ON:07.09.2026 PRONOUNCED ON:18.09.2026
UPLOADED ON:18.09.2026**

BETWEEN:

.....Petitioner

AND

State of Telangana, rep. by Principal Secretary,
Home Department, Secretariat Buildings,
Hyderabad, Telangana and Three Others

... Respondents

Mr. S. Raghuram, learned counsel representing Ms. K. Sridevi, learned counsel appearing for the petitioner.

Mr. P. Rama Sharana Sharma, learned counsel representing Mr. Chetluru Sreenivas, learned counsel appearing for the respondent No.4.

ORDER: *(per Hon'ble Justice Moushumi Bhattacharya)*

1. The present Writ Petition has been filed for a Writ of Habeas Corpus and for a direction on the respondent Nos.1 to 3, namely, (1) the Principal Secretary, Home Department of Telangana State, (2) the Director General of Police, Telangana State and (3) the Station House Officer, S.R. Nagar Police

Station, Hyderabad, to produce the detainee, viz.,

a child aged four years and to hand the detainee over to the petitioner.

2. The petitioner and the respondent No.4 are the father and mother of the detainee, respectively. The petitioner claims that the detainee is in unlawful custody of the respondent No.4 after the respondent No.4 brought the detainee from the USA to Hyderabad in contravention of orders passed by the Circuit Court of the State of Oregon for the County of Washington, USA ('US Court'). The petitioner hence seeks appropriate orders from this Court to enable the detainee to return to the USA in compliance with the orders passed by the US Court.

3. Learned counsel appearing for the petitioner places a sequence of events including the orders passed by the US Court on 20.02.2025 and 18.04.2025. Counsel submits that the respondent No.4 participated in the proceedings before the US Court and filed an unsuccessful motion for dismissal of the Petition for Legal Separation filed by the petitioner. Counsel further submits that the respondent No.4 agreed to a Parenting Plan with the petitioner before the US Court but that the

petitioner was subsequently denied access to the detainee and was deprived of shared parenting as was agreed by the parties before the US Court. Counsel urged that the respondent No.4's refusal to allow video calls between the petitioner and the detainee violates the rights of the minor child. Counsel places emphasis on the doctrine of '*Comity of Courts*'.

4. Learned counsel appearing for the respondent No.4 (mother of the detainee) submits that the respondent No.4 has already initiated criminal proceedings against the petitioner after her return to India on 13.04.2025. Counsel submits that the respondent No.4 also filed FCOP No.675 of 2025 in May, 2025, before the Principal Family Court at Hyderabad, seeking dissolution of marriage and permanent custody of the detainee. It is also submitted that the petitioner (father of the detainee) appeared before the Family Court in September, 2025. Counsel further submits that the respondent No.4 is presently residing in Hyderabad with her parents and that the petitioner is interacting with the detainee through video calls.

5. The respondent Nos.1 to 3 are represented by the learned Assistant Government Pleader. The AGP submits that the Writ

Petition involves a private dispute between the petitioner and the respondent No.4 and that the respondent Nos.1 to 3 have no role to play in the alleged illegal detention of the minor child.

6. We have heard learned counsel and the learned AGP appearing for the parties and have perused the documents placed on record including the orders passed by the US Court.

Background of the Conflict

7. It is necessary to set out the relevant facts chronologically.

30.08.2018	The petitioner and the respondent No.4 got married in India.
21.09.2022	The detainee Yashika Nandana Amboju was born in U.S.A.
06.02.2025	The petitioner filed a petition for Legal Separation in the US Court against the respondent No.4.
20.02.2025	The US Court granted an order of <i>status-quo</i> prohibiting the petitioner and the respondent No.4 from, <i>inter alia</i> , changing the child's usual place of residence.
17.03.2025	The respondent No.4 filed a motion to dismiss the petition filed by the petitioner for <i>forum non conveniens</i> requesting to move the case to India.
10.04.2025	The respondent No.4's motion to dismiss was denied by the US Court and both the parties agreed to a Temporary Parenting Plan.
13.04.2025	The respondent No.4 left USA for India with the detainee.

15.04.2025	The respondent No.4's Advocate filed a motion to withdraw as the attorney on record for the respondent.
17.04.2025	The respondent No.4 filed a case under section 498-A of The Indian Penal Code, 1860 before the jurisdictional Court in Hyderabad.
18.04.2025	The US Court granted sole temporary custody to the petitioner.
May, 2025	The respondent No.4 filed FCOP before the Family Court in Hyderabad for dissolution of marriage and for permanent custody of the detenue.
24.09.2025	The petitioner filed the present Writ Petition.
06.11.2025	The respondent No.4 sent a mail to the US Court stating that she will contest the case before the US Court subject to the advice of the Indian Court.
10.11.2025	Hearing held before the US Court for judgment on dissolution of marriage, maintenance and property distribution.

'Comity of Courts'

8. The doctrine of Comity of Courts is built upon mutual respect and deference where an order passed by a competent Court in one jurisdiction is questioned by a party before a Court in another jurisdiction. The doctrine of Comity of Courts is a salutary principle, more in the nature of an advisory, to encourage certainty of decisions and prevent multiplicity of proceedings and forum-hunting in different jurisdictions. In essence, the expression

Comity of Courts upholds the legal principle that Courts of one jurisdiction should respect, recognise and give effect to the laws and judicial decisions of another jurisdiction out of mutual respect and deference. In essence, it operates as a self-imposed rule of judicial restraint as opposed to a peremptory command.

9. The decisions relied upon by counsel for the petitioner involve removal of the child from a foreign jurisdiction to India, in violation of orders passed by the foreign Court. The Court, in those decisions, referred to the obligation to defer to judicial orders passed by Courts of foreign jurisdictions.

10. The Supreme Court in *V. Ravi Chandran (Dr.) (2) v. Union of India*¹ recognised this principle when dealing with facts and circumstances similar to those arising in the present case. In the facts of that case, the petitioner, an Indian-origin citizen of the USA, was married to the respondent No.6 at Tirupati. A child was born to the couple in the USA. Subsequently, a dispute arose between the parties with regard to the custody of the child (Adithya). The parties thereafter obtained a consent order from the Court of competent jurisdiction in the USA whereby the parents were granted alternate custody of the child on a weekly basis.

¹ (2010)1 SCC 174

However, the respondent No.6, in violation of the Court's orders removed the child to Chennai, India. The petitioner moved the US Court for taking action against the respondent No.6 for violation of the Court's order and was granted temporary, sole, legal and physical custody of the minor child. The US Court directed the respondent No.6 to immediately hand over the minor child and his passport to the petitioner. The petitioner thereafter filed a Habeas Corpus Writ Petition in the Supreme Court of India for production of the minor child and for handing over custody to the petitioner along with the child's passport. The Supreme Court considered the best interests of the child as well as the orders passed by the US Courts, and while passing appropriate directions, also took into consideration several concessions made by the petitioner-husband to facilitate the return of the wife to the USA so that she could return to the USA and pursue her claim regarding the child before the U.S.A Courts.

11. In *Arathi Bandi v. Bandi Jagadrakshaka Rao*², the Supreme Court relied upon *V. Ravi Chandran (Dr.) (2)* (supra) and directed the appellant-wife to return to the USA in compliance with the order of the Superior Court of Washington, Kent, where the Court

² (2013) 15 SCC 790

had approved a parenting plan and granted primary custody of the child to the mother and limited visitation rights to the respondent-father.

12. The issue of Comity of Courts formed the substratum of the decision in *Shilpa Aggarwal v. Aviral Mittal*³, where the Supreme Court recognised that the High Court of Justice, Family Division, U.K., was already in seisin of the matter and had passed an interim order of restraint having regard to the best interests of the minor girl child. The Supreme Court considered the celebrated decision in *Mrs. Elizabeth Dinshaw v. Arvand M. Dinshaw*⁴, wherein the Court had emphasised that the interest and welfare of the minor is the paramount concern in matters of custody. The Supreme Court held that the question of what is in the best interest of the minor child would have to be considered by the U.K. Court.

13. In *Lahari Sakhamuri v. Sobhan Kodali*⁵, the Supreme Court reiterated that the best interests of the child must receive primacy over procedural and jurisdictional claims. The observations made in a Habeas Corpus Petition are only for the limited purpose of

³ (2010) 1 SCC 591

⁴ (1987) 1 SCC 42

⁵ (2019) 7 SCC 311

engaging in a summary inquiry. The Supreme Court found that the interest of the children would be served best if they returned to the U.S.A and enjoyed their natural environment with the love, care and attention of their parents and the extended family.

14. In *Nilanjan Bhattacharya v. State of Karnataka*⁶, the Supreme Court recognised the paramount importance of the welfare of the child in custody disputes with due regard to foreign court orders regarding custody. The Court held that while the principle of Comity of Courts requires Indian courts to consider foreign custody orders, the child's best interests must remain the decisive factor. The Supreme Court relied on *Prateek Gupta v. Shilpi Gupta*⁷ to hold that the overriding determinant in custody and repatriation disputes would be the welfare and the interest of the child and that the doctrines of 'intimate contact' and 'closest concern' are only of persuasive value when the child is uprooted from their native country and taken to an alien environment.

15. The principle of Comity of Courts would however be subservient to the best interests of the child. Courts have also

⁶ (2021) 12 SCC 376

⁷ (2018) 2 SCC 309

placed emphasis on meaningful and effective access of both parents to the child under a parenting plan or otherwise.

The Orders passed by the Circuit Court of Oregon – Washington, USA

16. In the present case, the Circuit Court of the State of Oregon for the County of Washington passed a series of orders on the petition filed by the petitioner/husband for separation and custody even before the detenue/child was brought to Hyderabad. The orders need to be placed in sequence since they are also relevant in the context of the principle of Comity of Courts.

(i) 20.02.2025 (status quo and restraining order):

The Court entertained the petitioner's *ex parte* motion for temporary protective order of restraint. The Court referred to a 'detailed Parenting Schedule' described in the Declaration. The Court explicitly prohibited both the parties from:

- (a) Changing the child's usual place of residence.
- (b) Hiding the child from the other parent.

- (c) Interfering with the other parent's usual contact and parenting time with the child.
- (d) Leaving the State with the child without the written permission of the other parent or the permission of the Court.

(ii) 10.04.2025:

The Court laid stress on the Parenting Plan and observed that the mother would have temporary custody. The order mentions that parenting time for the father (petitioner) will be every other Friday to Sunday and will commence on and from 02.05.2025. The order mentions that video calls will be available to the parent who does not have parenting time every Monday, Wednesday and Saturday at bedtime. Significantly, the order records that several questions were put to the respondent No.4 with regard to the settlement/parenting time and the respondent No. 4 repeatedly reassured the Court that she was agreeable to be bound by it.

- (iii) 18.04.2025 (passed after the respondent No.4 removed the detinue from the USA to India):

The Court granted a Pre-Judgement Order of sole temporary custody of the detinue to the petitioner. Significantly, the Court also ordered that the respondent No.4 would not have parenting time until the child is returned to the USA and the child's passport is turned over to the petitioner. The respondent No.4 would be permitted parenting time 'every other weekend Friday to Sunday' only after the child is returned.

- (iv) 17.11.2025:

The order sets out a detailed narration of the factual background relating to the petitioner filing a petition for separation on 06.02.2025 in Washington County, Oregon. The Court records that both the parties appeared in Court on 10.04.2025 and agreed to a temporary Parenting Plan on that day. However, the respondent No.4 left USA for India on 13.04.2025 with the detinue. The order further records that the petitioner was awarded sole temporary custody of the

detenue on 18.04.2025 and further ordered the immediate return of the minor child to the USA.

- (v) The Court made several observations against the conduct of the respondent No.4 in removing the detenue from USA to India in breach of the Court's order and the Parenting Plan. The Court proceeded to order termination of the marital status of the parties and award sole custody of the child to the petitioner. The Court further directed that the detenue shall be returned to the USA and if the mother/respondent No.4 is unable to travel with the child, then the father or any other adult known to the child may travel to the child's current location (Hyderabad, India) and return the child to the USA. The Court declared that the respondent No.4 shall not have any parenting time until the child is returned to the USA and the child's passport is provided to the father/petitioner.

Significance of the Orders by the US Court

17. The Court found the petitioner to be fit and proper to be granted sole custody of the detenue. The detenue was also

directed to be returned to the USA. The US Court further prohibited the respondent No.4 from exercising any parenting time until the detainee was returned to the USA. The principle of 'Comity of Courts' requires deference to orders passed by a Court of competent jurisdiction, irrespective of whether the Court is located in a foreign jurisdiction. It is nobody's case that the Circuit Court of the State of Oregon for the County of Washington, United States of America, lacks jurisdiction to pass orders concerning the custody of the detainee. The respondent No.4 has not challenged the orders on the ground of jurisdiction or otherwise.

18. It is evident from the material placed before us that the US Court passed the orders upon a comprehensive appreciation of the facts relevant to the case and with reference to the applicable law. The US Court considered the merits of the disputes between the parties including the issue with regard to the custody of the detainee and passed orders thereon.

19. This raises the question as to whether the Writ Court in India, exercising extraordinary jurisdiction under Article 226 of the Constitution of India, should wrench jurisdiction from the US Court and re-engage with the factual and emotional complexities of

the matter *de novo* and disregard the lawful orders already passed by a competent US Court in the process.

20. This Court is of the considered opinion that the Writ Court has a limited role in a matter of the present nature which inherently warrants a summary inquiry. The inquiry should be confined to determining the proper Court for finally adjudicating the controversy between the parties; a dispute which was first initiated by the petitioner in the US Court in February, 2025. Once the US Court of competent jurisdiction has applied its judicial mind to the merits of the rival contentions and passed not one, but four substantive orders, the theatre of conflict cannot forcefully be shifted to India by reason of the unilateral removal of the detainee by the respondent No.4.

21. There is no material basis to hold that the orders of the US Court lack factual basis or took into account irrelevant considerations or were passed without granting the respondent No.4 an opportunity of being heard. On the contrary, the order dated 17.11.2025 records that both parties appeared before the Court on 10.04.2025 and agreed to a temporary Parenting Plan, and that the respondent No.4 attempted to communicate with the

US Court by mail even after leaving USA with the detinue on 13.04.2025.

22. Under these circumstances, the irrefutable conclusion is that this Court must exercise judicial restraint and refrain from encroaching upon the adjudicatory domain of the US Court; the Writ Court must discourage parallel proceedings, preserves sanctity of judicial orders and prevents the risk of conflicting judicial decisions.

23. The fact that the respondent No.4 subsequently initiated divorce/custody proceedings before the jurisdictional Family Court in Telangana cannot, by itself, invalidate the orders already passed by the Court which are undisputedly prior in point of time. Similarly, the mere fact that the respondent No.4 now has the capacity to approach the Indian Court would not negate the pre-existing jurisdiction of the US Court - which first entertained the dispute between the parties and passed orders while the respondent No.4 was still residing in the USA.

The respondent No.4's conduct:

24. There are several undisputed facts which raises questions on the conduct of the respondent No.4.

25. The respondent No.4 participated in the proceedings in the US Court and was duly represented by her Attorney on several dates, including on 10.04.2025. The respondent No.4 also personally appeared in Court on 10.04.2025 and agreed to a temporary Parenting Plan without making any request to exercise parenting time outside the State of Oregon. The respondent No.4 however removed the detinue from the USA on 13.04.2025, in violation of the order passed by the US Court on 20.02.2025, which explicitly prohibited either parent from leaving the State with the child without the written permission of the other parent or the permission of the Court. The respondent No.4 failed to seek permission from the Court to appear on the remote/virtual mode. The respondent No.4 also failed to continue her participation in the proceedings in the USA after 13.04.2025.

26. This failure to participate or appear before the US Court is significant since the respondent No.4 subsequently attempted to contact the US Court by mail. This conduct is significant in the

context of the respondent No.4 having agreed to be bound by the parenting plan before the US Court on 10.04.2025. Apart from unlawfully removing the child to India, the respondent No.4 also violated the Parenting Plan by refusing to allow the petitioner to interact with the child on video calls.

27. The order dated 17.11.2025 records several false statements made by the respondent No.4 in the parallel proceedings initiated by her before the Indian Court, including that the US Court had granted her temporary custody from 10.04.2025 to 28.07.2025. It is evident that the statement/declaration given by the respondent No.4 is directly contradictory to the US Court's order dated 18.04.2025, whereby the petitioner was granted sole temporary custody of the child.

28. This Court is not inclined to dwell on the critical observations made by the US Court with regard to the conduct of the respondent No.4, since the US Court is fully seized of the matter. Nevertheless, it would be clear from an objective assessment of the facts that the respondent No.4 breached the Parenting Plan formulated by the US Court, which she had agreed to comply with. Removal of the detainee from the USA to India was

in direct contravention of the agreed Parenting Plan as well as the mandatory order passed by the US Court on 18.04.2025.

29. It may be stated that judicial sympathy mostly veers towards the mother in matters involving custody of children. This may be a combination of an instinctive and emotional response where Courts often overlook the contribution of a father to the child's welfare. The father's contribution extends far beyond providing mere financial support; fathers are an indivisible part of the wholeness and wholesomeness of family life. Adopting a partisan approach against the father, especially where the facts do not portray him as an unsuitable or undeserving parent, results in grave injustice.

30. In the present case, the allegation that the petitioner has a partner in the USA is irrelevant to the petitioner's right to parental access or for ousting the petitioner from the family frame. The argument reflects a mere apprehension on the part of the respondent No.4 that the child will not be properly looked after if the child was to be returned to the USA. This argument is speculative and self-serving since the petitioner has not placed any hurdles in the return-path of the respondent No.4 to the USA along with the child. It is relevant to note that the order dated

17.11.2025 records that the respondent No.4 was working in the USA for a considerable number of years before she left for India on 13.04.2025, and that she has a high earning capacity. Hence, there is no reason for the respondent No.4 to contend that she is not in a position to return to the USA. It is also significant that the respondent No.4 has not taken any steps to challenge the orders passed by the US Court from 20.02.2025 to 17.11.2025, till date.

Yashita Sahu's Case

31. The facts of the present case substantially align with the principles enunciated in *Yashita Sahu v. The State of Rajasthan*⁸. The petitioner before the Supreme Court (Yashita Sahu) instituted a petition for an Emergency Protection Order and for sole custody of the minor child, Kiyara Verma, in the Norfolk Juvenile and Domestic Relations District Court. The Court passed an order on 26.09.2018 in terms of an agreement reached between the parties, which, *inter alia*, provided for the respondent father to extend financial support to the petitioner. The Court granted joint legal and shared physical custody of the minor child under a structured parenting plan involving the petitioner and the respondent. However, the petitioner-wife left the USA along with the child and

⁸ (2020) 3 SCC 67

came to India on 30.09.2018 prior to the next scheduled hearing before the Norfolk Court. The husband then filed a motion for emergency relief before the Norfolk Court on 02.10.2019 and an *ex parte* order was passed granting sole legal and physical custody of the child to the husband and directing the petitioner wife to return to the USA along with the child. A warrant was also issued against the petitioner/wife for violating the order dated 26.09.2018 of the Norfolk Court. The husband filed a Writ Petition for Habeas Corpus before the Rajasthan High Court for the production of his minor child. The High Court, by a judgment dated 01.07.2019, directed the wife to return to the USA along with her minor daughter within a period of six weeks to enable the jurisdictional Court in the USA to pass further orders.

32. The wife challenged the judgment of the High Court before the Supreme Court. The Supreme Court held that a Writ of Habeas Corpus is maintainable even if the child is in the custody of the other parent and clarified that the welfare of the child remains the paramount consideration in such disputes. The Supreme Court placed emphasis on the fact that the child is a citizen of the USA by birth and that the petitioner/wife brought the child to India in violation of the orders directing both the parties to

remain in the matrimonial home till 01.12.2018 and further that the child hence should not be deprived of the education, social security etc., in the USA. The Supreme Court reasoned that it would be in the best interest of the child to have parental care of both the parents, jointly or separately, and issued directions in two parts. The first part in the event the wife is willing to return to the USA on the terms and conditions offered by the husband in his affidavit. The second part if she is not willing to go to the USA, now should the husband be granted custody of the child.

Best Interests of the Child/Detenu

33. We are of the considered view that the present case warrants similar directions since the facts of the present case align with those of *Yashita Sahu* (supra). We have also taken into consideration the fact that the detenu, a girl of about four years of age, is a citizen of USA and has spent the majority of her life in Oregon after her birth on 21.09.2022. The detenu spent only about five months in 2023 when she was brought to Hyderabad. There is no dispute that the Oregon Court is a competent Court to decide the custody of the detenu. We are also of the opinion that the detenu requires the support, affection and presence of both

parents, namely, the petitioner and the respondent No.4. The detainee cannot be deprived of the love, care and affection of the petitioner (her father) merely because the parents are embroiled in a matrimonial and custody dispute.

Conclusions and Directions

34. Having regard to all the compelling factors, namely, (i) the welfare and best interests of the detainee, (ii) the orders passed by the competent US Court, (iii) the principle of Comity of Courts, (iv) the conduct of the respondent No.4 in removing the child from USA in violation of Court orders and (v) the principles laid down by the Supreme Court in the aforesaid decisions, we deem it appropriate to pass the following directions:

- (1) The respondent No.4 shall return the detainee to USA and accompany the detainee to USA for that purpose. The respondent No.4 shall comply with the orders passed by the US Court including that of 18.04.2025 and 17.11.2025.
- (2) The petitioner shall pay for the travel expenses of the respondent No.4 and the detainee for their journey from Hyderabad, India to Oregon, USA. The petitioner

shall also pay for the return travel of the respondent No.4 from Oregon, USA to Hyderabad, India. To facilitate this, the respondent No.4 shall intimate the proposed dates of travel to the petitioner within a reasonable time whereupon the petitioner shall immediately purchase the air tickets and arrange for other travel documents/clearnances.

- (3) The petitioner shall arrange for the accommodation for the respondent No.4. The accommodation should be comfortable and of the same standard as that which the respondent No.4 was accustomed to while she was in the USA. The petitioner shall also pay for the travel, food, and other expenses of the respondent No.4 while the respondent No.4 is in the USA and till the respondent No.4 decides to return to India, if and when that happens. The petitioner shall also take care of the day-to-day expenses for the respondent No.4, including electricity, gas, and other incidental expenses, until the jurisdictional Court in the USA makes a provision in that regard. Needless to say, the decision as to whether the respondent No.4 wishes to live in the USA or return to India, is entirely hers.

- (4) In case the respondent No.4 wishes to stay in her matrimonial home, the petitioner shall make alternate arrangements to move to a different accommodation during the respondent No.4's stay in the USA. This arrangement shall continue for such duration as may be mutually agreed upon by the parties.
- (5) The petitioner shall not initiate any penal action against the respondent No.4 in the USA with regard to violation of Court orders or otherwise. This should be treated as a pre-condition for the respondent No.4's appearance before the competent Courts in the USA.

35. In the event that the respondent No.4 is not willing to travel/return to the USA:

- (1) The respondent No.4 shall hand over the custody of the detinue to the petitioner. The petitioner shall travel to Hyderabad, for this purpose and the respondent No.4 shall deliver the child to the custody of the petitioner. If the petitioner is unable to travel to India, a family member of the petitioner may do so,

and the respondent No.4 shall hand over the child to the family member.

- (2) The petitioner shall make all the necessary arrangements for the travel and accommodation of the child and the family member from Hyderabad to the USA, ensuring the child is accompanied either by the petitioner or a close family member throughout the transit.
- (3) After the respondent No.4 hands over the child to the family member of the petitioner, the respondent No.4 shall continue to have access to the child through video calls every day for at least 20 minutes at a pre-fixed and mutually convenient time. The respondent No.4 shall also have video call facilities with the child on weekends (Friday to Sunday) for at least 30 minutes. The calls shall take place at a time mutually agreed upon between the parties.
- (4) If the petitioner travels to the USA with the child, the petitioner shall continue to have the same parenting time as afforded in the order dated 20.02.2025 and modified by the order dated 17.11.2025. The parties may apply for modification of these orders on mutually

agreed terms or as may be applied for before the US Court.

- (5) These directions shall be effective on and from 01.10.2026.

36. W.P.No.29562 of 2025, along with all connected applications, is accordingly allowed and disposed of in terms of the above directions.

MOUSHUMI BHATTACHARYA, J

RENUKA YARA, J

Date: 18.09.2026.
NDS/TJMR

Shoneek Kapoor.com

**THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
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