

**IN THE COURT OF THE DISTRICT JUDGE / PRINCIPAL JUDGE, FAMILY COURT, [DISTRICT  
NAME]**

Case No. \_\_\_\_\_ of 20\_\_\_\_

**IN THE MATTER OF:**

An application for custody of the minor child under Section 26 of the Hindu Marriage Act, 1955

(or under Section 6 of the Hindu Minority and Guardianship Act, 1956, as applicable)

**Applicant / Petitioner:**

Smt. [Full Name of Applicant]

Wife of Shri [Name of Respondent]

Aged about \_\_\_\_ years

Resident of [Full Address]

**Versus**

**Respondent:**

Shri [Full Name of Respondent]

Son of Shri \_\_\_\_\_

Resident of [Address]

**APPLICATION FOR CUSTODY OF MINOR CHILD**

**MOST RESPECTFULLY SHOWETH:**

1. That the marriage between the applicant and the respondent was solemnized on \_\_\_\_\_ [date] at \_\_\_\_\_  
\_\_\_\_\_ [place] according to Hindu rites and customs.
2. That out of the said wedlock, one minor child namely [child's full name], aged about \_\_\_\_\_ years, was born on \_\_\_\_\_ [date].
3. That due to matrimonial disputes, the applicant and the respondent have been living separately since \_\_\_\_\_ [date]. The minor child is presently residing with the respondent / in-laws / other relatives (as applicable).
4. That the applicant is the natural and lawful guardian of the said minor child and is fully capable of taking care of the child's physical, educational, emotional, and moral well-being.

5. That the respondent has no justifiable reason to retain the custody of the child, and the applicant apprehends that the child is being neglected and deprived of proper care and affection.
6. That it is in the best interest and welfare of the child that custody be granted to the applicant, who has stable accommodation, sufficient income, and necessary arrangements for the child's upbringing and education.
7. That the welfare of the minor being of paramount consideration, the applicant seeks the custody of the said child under Section 26 of the Hindu Marriage Act, 1955 / Section 6 of the Hindu Minority and Guardianship Act, 1956.
8. That this application is bona fide and made in the best interest of the child.

### **PRAYER**

The applicant, therefore, most respectfully prays that this Hon'ble Court may kindly be pleased to:

1. Grant the custody of the minor child [Name of Child], aged about \_\_\_ years, to the applicant;
2. Direct the respondent to hand over the physical custody of the said child to the applicant;
3. Pass any further or other orders that this Hon'ble Court may deem fit and proper in the interest of justice and welfare of the minor.

Place: \_\_\_\_\_

Date: \_\_\_\_\_

(Signature of the Applicant / Petitioner)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Through Counsel:

Name: \_\_\_\_\_

Advocate

Chamber No. \_\_\_\_\_

[Address]