



Child's custody

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13 January 2018

What is the age of the age of child if he or she wants to express her willing Ness about the custody.

ATTAR NASEER HUSSAIN (Querist)



13 January 2018

In India the Custody issue of a child is upto the age of majority which is 18 years. After attaining age of majority namely 18 years the child is free to move out and no one can claim his/her custody. The issue with which parent the minor child want to live is taken in consideration by the court while deciding the physical custody matter, but the paramount consideration is the Welfare of the Minor child.

Vijay Raj Mahajan (Expert)

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Willingness of child or his age to express willingness has no relevance. Which one of the parents can maintain well the child and provide good education and livelihood is relevant.

Guest (Expert)



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As far as law in India is concerned children below age of 5 generally custody is granted to mothers
Adv. Nitish Banka

nitish@lexspeak.in

Nitish Banka

(Expert)

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In other words you are probably asking; In Republic of India ; age of child for expressing her/his custody under Mother or Father i.e. Preference!

Generically speaking; 9 years, as court may believe that at this age child is old enough to form intelligent view for preference and child can be asked about child' view.

Kumar Doab

(Expert)



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After attaining majority the minor becomes major and can decide on his/her own.

For a child the welfare of child is of paramount consideration for courts.

Kumar Doab

(Expert)

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