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Child custody - after ex-parte order

about a year ago 1 Replies

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Raj Kumar

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The ex-parte divorce order has been granted and the 6 year old child is with the mother now. The divorce order does not speak anything about the child custody at all. The father has not seen the child for more than 5 years now and they don;t even know where he is now.

Question is : does the mother has to file another case for the child custody or is it acceptable to have it as it is now ? What happens with re-marriage and traveling abroad ? Visa requirements say that a court order is needed or an NOC from the husband if the child travels with only 1 parent. When the father is not reachable and they don;t know the wherabouts of him, how does this case work ?

Any suggestions ?

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Mother has to file OP under Guardians and Wards Act to get sole custody. Then apply for vis with it and take wherever she wants. Without formal custody order, always a risk.

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