

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**FAO No.2062 of 2012 (O&M)
Date of Decision: 09.10.2015**

Baljeet Singh DhabdaAppellant

Versus

Poonam Preet KaurRespondent

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MRS. JUSTICE REKHA MITTAL**

Present: Mr. R.P.Dhir, Advocate for the appellant.

Mr. N.P.S.Mann, Advocate for the respondent.

RAJIVE BHALLA, J (ORAL)

The appellant challenges order, dated 24.01.2012 passed by the Civil Judge (Sr. Division), Hoshiarpur, granting custody of the minor Jasnoor Singh to the respondent-mother.

We have interacted with the appellant, the respondent and the minor. The minor, who is more than 15 years old, while interacting with the mother and with us, made a categorical statement that he is comfortable with and is being well looked after by his father and would, therefore, be happy to stay in the custody and guardianship of his father.

Counsel for the respondent submits on instructions from respondent-mother that as the minor is not ready to live with her and is happy with his father, she gives up her rights to the guardianship, custody and visitation rights, subject, however, to the appellant transferring some property in the name of the minor, so as to secure his future.

Baljit Singh Dhabda, the appellant is present in

Court and states that he would transfer the second floor of a building constructed on the 14 marla plot at Village Allowal, in the name of minor Jasnoor Singh, and in addition would also transfer one shop measuring 500 sq. yds. (approximately) out of the four shops mentioned at Sr. No.4 in his affidavit dated 17.09.2015.

We have heard counsel for the parties and in view of what has been recorded hereinabove, allow the appeal, set aside order dated 24.01.2012 passed by the Civil Judge (Sr. Division), Hoshiarpur and dismiss the petition for guardianship. Baljit Singh Dhadda son of Baldev Singh Dhadda resident of Village & PO Dhada Mohar Singh, Tehsil & District Hoshiarpur at present resident of Village Allowal, Tehsil & District Hoshiarpur, shall transfer the second floor of the building constructed on the 14 marla plot at Village Allowal to the name of minor Jasnoor Singh. He shall also transfer a 500 sq. yds. (approximately) shop out of the four shops mentioned at Sr. No.4 in the name of the minor Jasnoor Singh. The needful be done within three months.

[RAJIVE BHALLA]
JUDGE

09.10.2015
Vinay

[REKHA MITTAL]
JUDGE