

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No.127 of 2015

Date of decision: February 16, 2015.

Sharanjit Kaur

... **Petitioner**

v.

Kulwinder Singh

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON**

Present: Shri Gaurav Sharma, Advocate, for the petitioner.

Dr. Bharat Bhushan Parsoon, J. (Oral):

Counsel for the petitioner seeks transfer of the petition under Section 25 of the Guardian and Wards Act, 1956 (in short the Act) filed by the respondent-husband for custody of the minor child born out of the wedlock from Jagraon to Barnala.

It is also urged that the respondent-husband is also facing proceedings under Section 125 Cr.P.C. at Barnala. Besides this, it is very difficult for her to travel 50 kilometers from Barnala to Jagraon on each and every date of hearing. It is further urged that provisions of Section 9 of the Act require filing of a petition under Section 25 of the Act at a place where the minor resides and, in the instant case, the minor is residing with the petitioner at Barnala.

No notice is being issued to the respondent in order to obviate delay, more so when no prejudice is likely to be caused to the respondent in view of the nature of order which this Court proposes to pass.

In view of the submissions made by Counsel for the petitioner as also the circumstances explained, the request is allowed.

Sequely, the petition under Section 25 of the Act pending at Jagraon is transferred to Barnala. Both the concerned District Judges to comply.

The petition stands disposed of.

Copy dasti on usual charges.

February 16, 2015.
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[Dr. Bharat Bhushan Parsoon]
Judge