

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

TA No.66 of 2015

Date of decision: January 27, 2015.

Preet Kaur

... **Petitioner**

v.

Lakhvir Singh

... **Respondent**

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

Present: Shri Bir Davinder Singh, Advocate, for the petitioner.

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

Counsel for the petitioner seeks transfer of the petition under Sections 7, 17 and 25 of the Guardian and Wards Act, 1890 (in short the Act) filed by the respondent-husband for custody of minor child from Mandi Dabwali to Faridkot.

It is also urged that the respondent-husband is also facing proceedings under Section 125 Cr.P.C. as also criminal complaint under various provisions of the Indian Penal Code in the court of JMIC, Faridkot. It is further urged that the petitioner is not possessed of sufficient means to defend the instant litigation at Mandi Dabwali nor the father of the petitioner, who is fending the family by doing menial job, is in a position to support her financially. Besides this, it is very difficult for her to travel 113 kilometers from Faridkot to Mandi Dabwali on each and every date of hearing with a minor child of one and half year old in her lap.

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 Sections 7, 17 and 25 of the Guardian and Wards Act, 1890 pending in the court of Additional Civil Judge (sr. Division), Mandi Dabwali is transferred to a court of competent jurisdiction at Faridkot. Both the concerned District Judges to comply.

The petition stands disposed of.

January 08, 2015.
kadyan

[Dr. Bharat Bhushan Parsoon]
Judge