

253.

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

Civil Revision No.267 of 2016 (O&M)

Date of decision:15.03.2016

Smt.Kavita wife of Harish

... Petitioner

versus

Harish and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr.R.A. Sheoran, Advocate,
for the petitioner.

Mr. Manish Mehta, Advocate,
for respondent No.1.

Mr. Siddharth Sanwaria, DAG, Haryana.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (Oral)

1. The police is present in court and their presence is not required at all. Their presence is discharged.

2. Status report of the case filed in court by way of affidavit on behalf of respondent No.5 is taken on record.

3. The suit had been filed for custody of the child and a direction to hand over the minor daughter below 5 years is sought by the husband against the wife in relation to the custody of the child.

The court has granted interim direction and in a challenge brought before this court, I had directed the respondent to state as to how the suit itself was competent.

4. The suit is not competent. The court of jurisdiction is only the District Court in a petition filed under Section 25 of the Guardian and Wards Act. The plaint is ordered to be rejected in exercise of the power under Article 227 of the Constitution.

5. The civil revision is allowed and the order already passed directing custody is quashed.

(K.KANNAN)
JUDGE

15.03.2016
sanjeev