

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

**TA-847-2016 (O & M)
Date of decision: 02.12.2016**

SamtaApplicant

V/s

Om Pati and anr. ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Harpreet Dandiwal, Advocate, for Mr. G.S. Shahpuri,
Advocate, for the applicant.

Rajan Gupta, J. (Oral)

This is a petition seeking transfer of proceedings initiated by the respondents for grant of custody of minor namely Harsh from the court at Kaithal to Yamuna Nagar.

It is urged before the court that husband of the applicant died three years after marriage. Custody of 05 year old child with the applicant at present, who is residing at Yamuna Nagar. Her in-law have initiated proceedings under Section 25 of the Act for custody of the child whereas jurisdiction would vest in the court at Yamuna Nagar in view of provision of Section 9 of the Act.

Respondents remain unrepresented despite service.

Keeping in view facts and circumstances of the case, it is directed that proceedings under Section 25 of the Act at Kaithal be transferred to a court of co-ordinate jurisdiction at Yamuna Nagar.

The petition is allowed in these terms.

December 02, 2016
sukhpreet

**(RAJAN GUPTA)
JUDGE**