

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No. 2785 of 2017 (O&M)
Date of decision: 20.4.2017**

Rishi Ram and another

...Petitioners

Versus

Mamta

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Sandeep Berwal, Advocate
for the petitioners.

RAMESHWAR SINGH MALIK, J. (Oral)

Present revision petition filed under Article 227 of the Constitution of India, is directed against the order dated 11.4.2017 (Annexure P-6) passed by the learned court below, whereby petitioners were directed to hand over the custody of minor children to their mother-respondent.

Heard learned counsel for the petitioners.

It is a matter of record that petitioners are grand-parents of the children and respondent is their mother. Age of Sristi is 4 years and age of Tripti is 6 years. Keeping in view the tender age of minor children, mother being the natural guardian, would be entitled for custody of the children. Nobody can better take care of the children than their mother. Petitioners, being grand-parents would not be entitled for custody of minor children either in law or in equity. Having said that, this Court feels no hesitation to conclude that the learned court below committed no error of law, while passing the impugned order and the same deserves to be upheld.

During the course of hearing, learned counsel for the petitioners could not point out any patent illegality or perversity in the impugned orders, which may warrant interference at the hands of this Court, while exercising its revisional jurisdiction under Article 227 of the Constitution of India. In fact, since the learned court below was well within its jurisdiction to pass the impugned order, no fault can be found with the same and it deserves to be upheld, for this reason also.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that present revision petition is misconceived, bereft of merit and without any substance. Thus, it must fail. No case for interference has been made out.

Resultantly, with the abovesaid observations made, instant revision petition stands dismissed, however, with no order as to costs.

20.4.2017
AK Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned : Yes/No
Whether Reportable : Yes/No