

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

**CR No.5063 of 2017
Date of Decision: 02.08.2017**

Sangeeta Devi

...Petitioner(s)

Versus

Bhateeri Devi and another

... Respondent(s)

CORAM:-HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Lajpat Sharma, Advocate
for the petitioner.

ANITA CHAUDHRY, J.

It is the mother's petition imploring a hearing as the custody battle for her child decided in her favour by the Family Court and by the High Court in October 2015, has still not brought her child back to her.

I have heard counsel for the petitioner and have gone through the *zimni* orders placed on record, which show how the execution petition is progressing. The Executing Court is adjourning the matter stating that there are chances of settlement.

Learned counsel for the petitioner contends that several sessions for amicable settlement had already taken place when the proceedings were going on and the parties were called in the chamber in the High Court and the grandmother is only delaying and the Executing Court is not understanding the predicament of the mother who has been kept away from the child for so long. Counsel

further states that he would be satisfied if some directions are given to the Executing Court to decide the matter within a limited time frame.

The *lis* was between the daughter-in-law and the mother-in-law post the death of the husband. The mother of the child was seeking custody. An order has been passed in her favour by the District Judge, Family Court. Aggrieved by the decision, an appeal was filed by the mother-in-law which was dismissed in October, 2015. The custody of the child has still not been handed over. Efforts for reconciliation were made when the matter was pending in this Court. It is a fit case for passing direction without even sending notice to the respondents as that would further delay its disposal.

The petition is disposed of with directions to the Executing Court to decide the execution petition within two months of receipt of order.

August 02, 2017
ps-l

(ANITA CHAUDHRY)
JUDGE

Whether Reasoned/Speaking
Whether Reportable

Yes/No
Yes/No