

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CR No. 5374 of 2017

Date of decision : September 8, 2017

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Rajinder Kaur

.....Petitioner

Versus

Kuldeep Ram and another

.....Respondents

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CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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Present: Ms. Deepshikha Chauhan, Advocate for the petitioner.

Mr. Arun Takhi, Advocate for respondents no. 1 & 2.

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RITU BAHRI, J.

The petitioner has come up in the present revision petition against the order dated 16.5.2017 passed by the Additional District Judge-cum-Guardian Judge, Hoshiarpur. Vide the impugned order, the application of the petitioner for the custody of her minor son namely, Kartik Sandhu under Section 25 of Guardian and Wards Act and under Hindu Minority and Guardianship Act was allowed to the extent of meeting purpose and the petitioner was held entitled to meet her minor son Kartik Sandhu once in a month in the Court. The respondents were directed to produce the minor child before the Court on 1st working Saturday of every month from 2 PM to 4 PM so as to enable the petitioner to meet him.

Notice of motion was issued by this Court on 16.8.2017 and the parties were directed to be present in person in the Court along with minor son on 8.9.2017. The parties were relegated for mediation and with the assistance of Mr. Sachin Jain, Mediator and their respective counsel,

they have amicably resolved their dispute and have reduced the same into writing. The written compromise is taken on record as Annexure A-1 which is duly signed by the petitioner her father Gurpal Lal, her mother Manjit Kaur and her counsel, Ms. Deepshika Chauhan. The compromise has also been signed by Gurmeet Kaur-respondent no.2, Malkiat Ram and their counsel, Mr. Arun Takhi. As per their settlement agreement, minor child will remain in the custody of his grand mother Gurmit Kaur-respondent no.2 till she remains alive and on her death, the custody will be given to his mother and in case the mother gets remarried, the custody of the child will go to the father alone. Both the parties have agreed that the mother will have visitation rights four times in a month and she will take her child with her for five days in the first week of June and in the last week of December i.e twice a year. Moreover, the petitioner can also give gifts to her son. The parties have decided not to file any case against each other or other family members qua the present dispute. It has also been agreed between the parties that the petitioner will withdraw the petition filed by them seeking custody of the minor child which is pending in the Court of District Judge-cum-Guardian Judge, Hoshiarpur.

Since the matter has been amicably resolved as per compromise Annexure – A-1, the present petition is disposed of in the same terms.

September 8, 2017

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(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No