

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

TA No. 516 of 2017(O&M)

Date of decision: 3.8.2017

MonikaApplicant

VERSUS

Anis KumarRespondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Sukhdeep Parmar, Advocate for the applicant.

None for the respondent.

REKHA MITTAL, J.(Oral)

On oral request made by counsel for the applicant, in the headnote as well as in para 12 of the petition, the words 'HMA' are allowed to be corrected as 'HMG'.

The petitioner prays for transfer of petition HMG/48/2017 titled **Anis Kumar Vs. Monika** filed under Section 7, 10 and 25 of the Guardians and Wards Act, 1890 from the Court of District Judge, Family Court, Sonapat to a Court of competent jurisdiction at Panipat.

Counsel would submit that the respondent-husband filed a petition under Section 13 of the Hindu Marriage Act, 1955 before the Court at Sonapat but the same was transferred by this Court to the Court of competent jurisdiction at Panipat vide order dated 31.05.2017 passed in T.A. No.306 of 2017. It is further submitted that the respondent did not lay any challenge to the said order and the same has attained finality. According to learned counsel, the facts and circumstances that weighed in

the mind of this Court for allowing transfer of the earlier petition remained the same for the purpose of transfer of the instant petition from Sonapat to a Court at Panipat. In addition, it is argued that the child for whose custody the respondent has filed the instant petition is residing with the applicant at village Dahar, District Panipat.

In view of the order passed by this Court in the earlier petition coupled with the factum that the respondent has not come forward to controvert the allegations in the petition, the aforesaid petition HMG/48/2017 titled **Anis Kumar Vs. Monika** pending in the Court of District Judge, Family Court, Sonapat is ordered to be withdrawn from the said Court and is transferred to the Court of Civil Judge (Senior Division) Panipat exercising the powers under Guardians and Wards Act, 1890 for disposal in accordance with law.

Disposed of accordingly.

AUGUST 3, 2017

‘D. Gulati’

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no