

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.787 of 2018

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1. Sheo Kumar Sah son of Late Ram Swaroop Sah
 2. Sheo Kumari Devi wife of Sheo Kumar Sah
 3. Mukesh Kumar Sah @ Mukesh Sah son of Sheo Kumar Sah, all residents of village-Phursatpur, P.S. Garkha, District-Saran, at present residing at Tirap Colliery, P.S.-Ledo, District-Tinsukia (Assam).

.... Petitioners

Versus

1. Guriya Devi @ Guriya Kuwar daughter of Purushottam Sah, resident of village & P.O.- Chirand, P.S. – Doriganj, District-Saran

.... Respondent

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Appearance :

For the Appellant/s : Mr. Harshvardhan Shivsundaram

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 27-09-2018

Heard learned counsel for the petitioners.

The petitioners have filed this civil miscellaneous petition against the order dated 06.03.2018 passed by Principal Judge, Family Court, Saran at Chapra, in Guardianship Case No.07 of 2016, by which, the Principal Judge, Family Court, Saran at Chapra directed the petitioners to bring the minor children of the respondent in court on each and every date, so that the mother of the children may see them. The petitioners are grand father, grand mother and uncle of the children. The mother of the children, respondent no.1 filed Guardianship Case No.07/2016 for guardianship of her minor son and daughter. Admittedly, the husband of respondent no.1 died in a motor accident and her two



minor children were brought up by their grand father and grand mother. Respondent No.1 filed petition for appointment of guardianship of the minors. During the pendency of the case, respondent no.1 filed petition for direction to the petitioners to bring the children in court so that she may see her children, and accordingly, the Court directed the petitioners to bring the children on each and every date before the court so that she may see them.

Learned counsel for the petitioners submits that both the children are admitted in school in the district of Tinsukia (Assam) and it is not possible to bring them on each and every date before the Court but from perusal of the rejoinder filed by the petitioners, it appears that the petitioners have not stated anywhere that the son and daughter of respondent no.1 are admitted in the school situated in the district of Tinsukia. The respondent no.1 is the mother of children and I find that the Court has rightly directed the petitioners to bring the children on each and every date before the Court.

Accordingly, I do not find any illegality in the order impugned. The same is dismissed.

(Prabhat Kumar Jha, J)

Amit/-

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