

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

Civil Revision No.491 of 2018 (O&M)

Date of Decision: March 08, 2018

Gurjit Kaur

...Petitioner

Versus

Avtar Singh

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr.J.S.Lalli, Advocate,
for the petitioner.

Mr.Prateek Sodhi, Advocate,
for the respondent.

AMIT RAWAL, J.

Prayer in the present revision petition is for dismissing the petition moved by the respondent-husband under the Guardian & Wards Act, 1890 read with The Hindu Minority and Guardianship Act, 1956 seeking custody of minor child, namely, Eknoor Singh, and also for setting-aside the order dated 18.1.2018 passed by the Guardian Judge permitting the respondent to meet the child.

It is a matter of record that on the basis of compromise arrived at between the parties, the petition filed under Section 13-B of the Hindu Marriage Act, 1955 has been disposed of vide order dated 2.7.2016 and as per the compromise, the custody of the minor child, Eknoor Singh, has been given to the petitioner-wife and the application moved by the respondent-father for meeting the child, has been allowed.

Mr.Prateek Sodhi, Advocate has put in appearance on behalf of

the respondent-husband.

In pursuance of the direction of this Court, both the parties with minor child are present in Court.

This Court called upon the minor child at dais and asked him whether his father is present in Court or can he identify him, the answer was in negative.

In view of the aforementioned, the impugned order has rendered infructuous, for, there was an interim stay and the father was allowed to meet the child on 23.1.2018 only after school.

Since the matter with regard to custody of the child is pending, I need not to ponder upon the merit and demerit of the matter. Resultantly, the impugned order is set aside. However, I dispose of the revision petition with direction to the trial Court to dispose of the petition moved by the husband as expeditiously as possible.

March 08, 2018
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No