

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

CR No.8990 of 2017

Date of Decision:-21.2.2018

Gurminder Pal Singh

...Petitioner

Versus

Sukhjinder Kaur and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Vishal Aggarwal, Advocate
for the petitioner.

Mr. Vikram Preet Arora, Advocate
for respondent No.1.

AMIT RAWAL J.(Oral)

Present petition has been filed under Article 227 of the Constitution of India for issuance of appropriate directions to expedite/disposal of petition filed under Section 25 read with Section 10 of the Guardians and Wards Act on the premise that the petition was filed in the year 2015 despite two years have gone by but the respondent-wife has not filed the reply.

It has been submitted that the marriage between petitioner and respondent No.1-Sukhjinder Kaur was performed on 29.12.2008, and out of the said wedlock one son namely Lakhsdeep Singh was born on 2.6.2010 but due to differences between the parties, the marriage was dissolved by

way of decree of divorce under Section 13-B of Hindu Marriage Act vide order dated 30.7.2011 and thereafter the respondent No.1 wife remarried but she left the custody of the son with material grand-parents. Non-filing of the written statement is testimony to the fact that the father is not allowed to meet his son.

This Court on 20.12.2017 had called upon respondent No.1 alongwith minor child Lakhsdeep Singh. Pursuant to that order, respondent No.1 wife Sukhjinder Kaur puts in appearance alongwith the child. I have spoken to the child and asked him the identification of his father to which he identified Mr. Amarjit Singh-respondent No.2 as his father.

Be that as it may I do not intend to initiate the further proceedings as the matter is subjudice before the Courts below. However, learned counsel appearing on behalf of respondent submits that some compromise talks are going on and therefore the written statement was not filed but he undertakes to file the written statement within a period of one month from today.

In view of the aforementioned facts, the revision petition is disposed of with a direction to the trial Court to expedite the disposal of the petition titled as 'Gurminder Pal Singh vs. Sukhjinder Kaur and others' within a period of one year, in accordance with law by giving opportunity to defence to file written statement within one month from the date of receipt of certified copy of the order.

February 21, 2018
Vijay Asija

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No