

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

T.A. No. 680 of 2018 (O&M)

Date of decision : 5.12.2018

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Lalita

.....Petitioner

vs.

Navdeep and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Satbir Gill, Advocate
for the petitioner.

None for respondent No.1.

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H. S. Madaan, J. (Oral)

As per the office report, respondent No.1 served, but has not appeared.

Heard.

By way of moving the present petition, applicant Lalita, seeks transfer of petition under Section 25 of the Guardian and Wards Act, 1890, read with Section 6 of Hindu Minority and Guardianship Act, 1956, filed by her husband Navdeep – respondent No.1 against her, seeking custody of their minor son Master Bhavesh, aged about 5 years, presently residing with the applicant. The reason

given in transfer of the petition is that the minor child is studying in a school at Ellenabad and there is a distance of about 150 kms between Ellenabad, where she is residing alongwith her minor child and Hisar and she being a woman it is difficult for her to travel such a distance to attend the dates of hearing in the Court at Hisar and further more, she has to take care of minor child also.

Notice of the application was given to respondent No.1, who has been duly served but has not opted to put in appearance to contest the application.

I have heard the submissions made by learned counsel for the petitioner, besides going through the record. I find merit in the application and sufficient grounds are there to withdraw the petition from the Court of District Judge, (Additional Family Court), Hisar and transfer the same to the Court of District and Sessions Judge, Sirsa. It is ordered accordingly. Parties through counsel are directed to appear there on 14.1.2019. Learned District and Sessions Judge, Sirsa, may retain the case on his Board or assign it to any other Court of competent jurisdiction at that place.

A copy of the order be sent to the District and Sessions Judge, Hisar, District and Sessions Judge, Sirsa, for necessary compliance.

5.12.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned
Whether reportable

Yes/ No
Yes/ No