

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

T.A. No. 111 of 2019

DATE OF DECISION :- February 04, 2019

Gurnaib Singh

...Applicant

Versus

Sarabjit Kaur

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Amardeep Singh Mann, Advocate for the applicant.

By way of filing the present application, applicant Gurnaib Singh seeks transfer of petition under Guardian and Wards Act filed by his wife Sarabjit Kaur against him seeking custody of all the three children of the parties presently residing with the applicant at District Mansa. That petition is said to have been filed before District Judge (Family Court), Karnal.

Under Section 9 of the Guardian and Wards Act only District Court having jurisdiction over the place where the minor ordinarily resides can entertain and try such petition, therefore, the applicant is relegated to the remedy of approaching the trial Court and moving application in that regard which is to be decided on merits by the trial Court. However, if after disposal of the application, the applicant still feels aggrieved then he can approach this Court again by moving similar application.

The application stands disposed of accordingly.

**(H.S. MADAAN)
JUDGE**

February 04, 2019

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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No