

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

T.A. No. 258 of 2019 (O&M)
Date of decision : 18.3.2019

Geetika Kapoor

...

.....Applicant

vs.

Gagandeep Singh Chahal

.....Respondent

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

Present: Mr. Shehbaz Thind, Advocate for the petitioner.

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H. S. Madaan, J. (Oral)

Under Section 9 of the Guardian and Wards Act, 1890 only the Court, where the minor ordinarily resides has got jurisdiction to entertain and try the petition under Section 25 of the said Act, for custody of the minor. It is stated that the minor child is residing with her mother - the applicant, at Ludhiana.

Under the circumstances, the applicant is relegated to the remedy of approaching the trial Court, by moving appropriate application seeking return of the petition to the Court of competent jurisdiction on account of lack of jurisdiction. The trial Court may dispose of the said application in accordance with law expeditiously.

However, if the applicant still is not satisfied, then she may approach this Court again.

Disposed of.

18.3.2019
chugh

(H.S. Madaan)
Judge

Whether speaking / reasoned
Whether reportable

Yes/ No
Yes/ No