

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 259

CR-3335-2019

Date of decision : 26.09.2019

Dr. Hanspreet Sekhon

..... Petitioner

VERSUS

Harvarinder Singh Sekhon

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Petitioner in person with Mrs. G. K. Mann, Advocate.

Respondent in person with Mr. K. S. Dhillon, Advocate.

DEEPAK SIBAL, J. (ORAL)

The present petition is directed against the order dated 15.03.2019, passed by the Civil Judge (Senior Division), Mohali (for short, the Trial Court), through which during the pendency of the petition filed by the petitioner-wife under Sections 7 and 12 of the Guardians and Wards Act, 1890 she has been denied interim custody of the minor children of the parties.

Learned counsel for the parties submit that in the petition filed by the petitioner before the Trial Court issues have been framed and that one of the witnesses of the petitioner has also been examined in chief.

That being so, the Trial Court is directed to dispose of the petitioner's petition by 31st January, 2020, in accordance with law.

In the meanwhile, after having met both the minor children of the parties in Chamber, with their consent, it is directed that on 27.09.2019 at 2 pm the respondent-husband shall hand over the custody of the minor children to the petitioner-wife at Mohali and pick them up the next day i. e. 28.09.2019 at 5 am.

Thereafter on 06.10.2019 the girl child of the parties shall be brought by the respondent-husband from Nepal to Mohali where her custody shall be handed over to the petitioner-wife and that she would stay with the petitioner-wife till 13.10.2019. During such period, to enquire about the child's welfare, the respondent-husband would be at liberty to not only talk to the girl child but also to visit the place(s) where the girl child would reside with her mother. On terms to be mutually agreed by the parties, the respondent-husband is also at liberty to take the girl child for some time and spend time with her.

In the winter vacations, the respondent-husband shall bring both the children from Nepal to Mohali and hand over their custody to the petitioner-wife where they shall stay with her for two weeks i.e. from 07.12.2019 to 21.12.2019. Thereafter for one week i.e. till 28.12.2019 both the children shall be kept by the respondent-husband in Mohali where the petitioner-wife would have access to them on mutual convenience of the parties.

The petition is disposed in the above terms.

26.09.2019
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No