

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

TA-1104-2018 (O&M)

Date of decision: 14.01.2019

Samarjeet Singh

...Applicant

Versus

Vandana Singh

...Respondent

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

Present: Ms. Paramjit Kaur Deol, Advocate
for the applicant.

Mr. Himanshu, Advocate for the respondent.

H.S. MADAAN, J. (Oral)

By way of filing the present application, applicant Samarjeet Singh prays for transfer of petition under Section 25 of Guardians and Wards Act, 1890 filed by his wife Vandana Singh, respondent against him having title 'Vandana Singh Vs. Samarjeet Singh and others' seeking custody of minor daughter of the parties, namely, Japman Kaur residing with the applicant at Amritsar, such petition being pending before the Principal District Judge, Family Court, Karnal to the Court of competent jurisdiction at Amritsar.

Notice of the application was given to the respondent, who put in appearance through counsel.

I have heard learned counsel for the parties besides going through the record.

Section 9 of the Guardians and Wards Acts provides that the

application with respect to the guardianship of a person of the minor shall be made to the District Court having jurisdiction over the place where the minor ordinarily resides. It being so, only the competent Court at Amritsar appears to have the jurisdiction to entertain and try the petition. Thus, the applicant may approach the trial Court moving appropriate application seeking return of the petition to the petitioner for presenting it in the Court having competent jurisdiction. The trial Court may pass appropriate order on such application. However, if after disposal of the application, the applicant is still aggrieved, he can approach this Court again moving similar type of application.

The present application stands disposed of accordingly.

14.01.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No