

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

T.A. No. 891 of 2018

DATE OF DECISION :- February 06, 2019

Rajni Sharma

...Applicant

Versus

Vanit Kumar Bhardwaj

...Respondent

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

Present:- Mr. Vikas Garg, Advocate
for Mr. Vivek Goel, Advocate for the applicant.

By way of moving the present application, applicant Rajni Sharma, estranged wife of respondent Vanit Kumar Bhardwaj seeks transfer of petition under Section 25 of the Guardians and Wards Act, 1890 filed by her husband against her pending in the Court of Additional Civil Judge-cum-Chief Judicial Magistrate, Ludhiana to the court of competent jurisdiction at Moga. That petition is stated to be with regard to seeking custody of the minor son of the parties namely master Nirajit Bhardwaj @ Nav, presently residing with the applicant.

Under Section 9 of the Guardians and Wards Act only the District Court having jurisdiction in the place where the minor ordinarily resides can entertain such petition. Therefore, the applicant is relegated to the remedy of approaching the trial Court by moving an appropriate

application seeking return of petition on account of lack of territorial jurisdiction. The trial Court shall dispose of the application in accordance with law. However, if the applicant is still aggrieved, then she can approach this Court again.

(H.S. MADAAN)
JUDGE

February 06, 2019
p.singh

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