

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

T.A. No. 6971 of 2018

DATE OF DECISION :- January 10, 2019

Smt. Anita Pal

...Applicant

Versus

Amit Kumar

...Respondent

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

Present:- Mr. Shilak Ram Hooda, Advocate for the applicant.

By way of moving the instant application, applicant Smt. Anita Pal seeks transfer of petition under Sections 10, 12 and 25 of the Guardian and Wards Act, 1890 filed by her husband Amit Kumar-respondent seeking custody of minor son of the parties namely Chirag Pal pending in the Court of District Judge, Karnal to the Court of competent jurisdiction at Panchkula.

According to her, she is having custody of the minor son of the parties. Under Section 9 of the Guardian and Wards Act, 1890 only the District Court having jurisdiction over the place where the minor resides can entertain such petition.

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 having territorial jurisdiction over the matter. However, if after disposal of the application the applicant feels aggrieved, then she may approach this Court again.

The application stands disposed of accordingly.

(H.S. MADAAN)
JUDGE

January 10, 2019
p.singh

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