

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

LPA No.394 of 2020 (O&M)  
Date of decision: July 01, 2020

Khushi Kumari and others ...Appellants

Versus

State of Punjab and others ...Respondents

**CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN  
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. Sanjeev Manrai, Senior Advocate with  
Mr. S.S. Kamboj, Advocate for the appellants.

**Rakesh Kumar Jain, J.(oral)**

*Case taken up through Video Conferencing.*

This appeal is against the order dated 29.05.2020, passed in CWP No.7207 of 2020 *Khushi Kumari and others Vs. State of Punjab and others*.

In brief, the appellants herein had filed the aforesaid writ petition to challenge the orders dated 08.01.2019 and 11.03.2019, passed under the Juvenile Justice (Care and Protection of Children) Act, 2015 (for short “the Act”) by the Chairman, Child Welfare Committee, Ferozepur. The petitioners are aggrieved that they have been ordered to be repatriated to their parents State i.e. Bihar and Jharkhand on the premise that their parents are still alive and working in the said States. Learned Single Judge dismissed the writ petition only on the ground that the petitioners (appellants herein) have a statutory remedy of appeal under Section 101 of the Act. Aggrieved against the said decision, the present appeal has been

been filed in which the learned Senior counsel has argued that the appellants have not been heard by the Committee before passing the impugned orders.

We have heard counsel for the appellants and after perusing the records, are of the considered opinion that the appellants have failed to point out any error in the order of the learned Single Judge by which the appellants have been relegated to their remedy of filing of statutory appeal and nothing more has been observed therein. The issue as to whether the appellants have been heard before the Committee while passing the impugned orders, can also be raised before the appellate authority if any evidence is available with them. Counsel for the appellants has failed to point out any error in the order passed by the learned Single Judge and thus no interference is called for.

Dismissed.

**(RAKESH KUMAR JAIN)**  
**JUDGE**

**(ASHOK KUMAR VERMA)**  
**JUDGE**

July 01, 2020  
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No