

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

219

**LPA 811 of 2020 IN
CRWP No.1423 of 2019
Date of Decision: 18.12.2020**

HARPREET SINGH @ MONEY & ANR

.....Petitioners

Vs

MANDEEP KAUR & ORS

.....Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present: Mr. Naresh Jain, Advocate for Petitioners.

Mr.Vikas Mohan Gupta, Addl. AG Punjab.

SANT PARKASH J.

The instant appeal has been preferred for setting aside judgment dated 03.11.2020 passed by this Court in **CRWP No.1423 of 2019**.

This Court vide aforesaid judgment held that till the question of custody of minor daughter is decided by the Guardian/Family Court, the welfare and interest of the minor child would be better served by entrustment of the interim custody to its mother-Petitioner(respondent No.1 herein) and allowed the petition with the following directions:-

“(i) respondent No.4 is directed to hand over the custody of minor daughter to the petitioner on 15.11.2020 between 10.00 AM and 11.00 AM at the parental house of the petitioner;

(ii) in case respondent No.4 fails to do so, respondents No.2 and 3 shall ensure that custody of minor daughter is immediately handed over to the petitioner by taking over the same from respondents No.4 and 5;

(iii) respondent No.4 shall be at liberty to file petition under the HMG Act/the GW Act before the Guardian/Family Court for custody of the minor daughter;

(iv) the Guardian/Family Court shall decide the question of custody of the minor daughter uninfluenced by the observations made by this Court by taking into consideration the welfare and best of interest of the minor daughter;

(v) till decision of the custody petition, respondent No.4 shall be entitled to meet the minor daughter on every Sunday for two hours between 10.00 AM and 05.00 PM or make video calls to the minor daughter for 15/30 minutes between 05.00 Pm and 06.00 PM as desired and to be conveyed in advance to the petitioner by respondent No.4; and

(vi) respondents No.2 and 3 shall provide requisite protection to the petitioner and the minor daughter against harm at the instance of respondents No.4 and 5 during the period custody of the minor daughter remains with the petitioner.”

The learned counsel for the petitioners after arguing the case for sometime pressed for withdrawal of the present appeal.

Dismissed as withdrawn.

CM No.2258-LPA-2020

Singh the main appeal itself has been dismissed as withdrawn vide order of even date, the instant application has been rendered infructutous and is disposed of as such.

**(JASWANT SINGH)
JUDGE**

**(SANT PARKASH)
JUDGE**

18.12.2020

Vandana/Avin

Whether Speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No