

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

**T.A NO. 669 OF 2019
DATE OF DECISION : 13.02.2020**

Devi

...Applicant

versus

Satbir

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Sandeep Goyat, Advocate,
for the applicant.

Mr. Kanhaiya Soni, Advocate,
for the respondent.

ARUN MONGA, J. (ORAL)

This petition has been filed by the applicant-wife seeking transfer of a petition filed by her husband under Section 6 of the Hindu Minority and Guardianship Act, 1956 read with Section 25 of the Guardian and Wards Act, 1890 for the custody of minor daughters namely Manisha and Nitika, titled as "Satbir v. Devi" pending in the Court of Principal Judge, Family Court, Rohtak to any other Court of competent jurisdiction at Hisar.

2. Learned counsel for the applicant submits that applicant is residing at her parental house. Four children born out of the wedlock are in the custody of applicant. It is very difficult for her to travel 100 kms from Hisar to Rohtak on each and every date of hearing.

4. I have heard learned counsel for the parties and have gone through the records of the case.

5. Indisputably, minor children of the parties are residing with the applicant at Hisar. Section 9(1) of the Guardians and Wards Act,

1890 provides that the jurisdiction to try such application vests with the Court where the minor ordinarily resides.

6. In the premise, present application is allowed. The petition in question pending before the Court of Principal Judge, Family Court. Rohtak, is ordered to be withdrawn from that Court and is transferred to District Judge, Hisar for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

FEBRUARY 13, 2020
shalini

- | | | |
|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |