

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

TA-489-2020(O&M)

Date of decision:28.01.2021

Sunita and another

.....Petitioners

Versus

Jaipal Sharma and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.R.K.Arya, Advocate for the petitioners
None for the respondents

ANIL KSHETARPAL, J.

As per the office report, both the respondents have been served, however, they have not come forward to contest the petition.

This petition under Section 24 CPC, has been filed seeking transfer of case no. GW/14/2020 titled as 'Jaipal Sharma and another vs. Anuradha and others' filed under Section 25 of the Guardians and Wards Act, 1890. for custody of minor child 'Yuvi' pending before the Family Court, Amritsar, to any other competent court of jurisdiction at Gurdaspur.

The petitioners before this Court are maternal uncle and aunt of the child whereas respondents are his paternal grandparents. The child was born on 11.08.2019. The parents of the child are residing abroad. At present, the minor child is residing with his maternal uncle and aunt. In view of the provisions of Guardians and Wards Act, 1890, the petition for grant of custody of a child is required to be filed at a place where the child ordinarily resides. At present the child is alleged

to be residing within the jurisdiction of Gurdaspur. In view thereof, the petition is allowed. The case no. GW/14/2020 titled as 'Jaipal Sharma and another vs. Anuradha and others' filed under Section 25 of the Guardians and Wards Act,1890, is ordered to be transferred from the Family Court at Amritsar, to the court of competent jurisdiction at Gurdaspur.

28.01.2021		(ANIL KSHETARPAL)
rekha		JUDGE
Whether speaking/reasoned	Yes /No	
Whether Reportable	Yes / No	