

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

TA No.66 of 2022

Date of decision: 31st March, 2022

Dr. Neetu Punia

... Applicant

Versus

Dr. Jai Karan

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Shokeen S. Verma, Advocate for the applicant.

None for the respondent.

FATEH DEEP SINGH, J.

The wife Dr. Neetu Punia who is applicant in this transfer application under Section 24 CPC seeks to get transferred a petition under Section 10, 12 and 25 of the Guardian and Wards Act, 1890 read with Section 6 of the Hindu Minority and Guardianship Act against her husband Dr. Jai Karan on the grounds that by virtue of Section 9 of the Guardian and Wards Act the Court at a place where the minor child resides has the jurisdiction to entertain, try and decide the present matter.

Upon hearing learned counsel for the applicant wife, Mr. Shokeen Singh Verma, Advocate and on perusal of the records, while in spite of service none has put in appearance on behalf of the respondent.

During the course of hearing arguments, it is the admitted stand that the wife is a doctor by profession and so is the husband and out of their wedlock they have two children, a daughter and a son, both minors and are presently residing with the mother. Thus, in view of the admitted stance which is well entrenched on the file and in view of the law of this Court laid down in '**Akshay Gupta vs. Divya & others**' CR **No.641 of 2019 decided on 11.01.2021** impels this Court to accede to the prayer of the applicant keeping in view that the matter pertains to the very custody of a minor child.

In the light of the same, the instant application is allowed. The petition bearing No.GW-69 of 2021 titled 'Dr.Jai Karan vs. Dr. Neetu' pending in the Court of learned Principal Judge, Family Court, Patiala is ordered to be transferred to the District Judge, Hissar who may further transfer the matter to a Court of competent jurisdiction at Hisar.

(FATEH DEEP SINGH)
JUDGE

March 31, 2022

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No