

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

CR-612-2022 (O&M)

Date of decision: 11.11.2022

Ritu @ Sushila

...Petitioner

Versus

Kitabo Devi and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Johan Kumar, Advocate for
 Mr. Wazir Singh, Advocate for the petitioner

Mr. Bhagwant Dayal Sharma, Advocate for the respondents

ANIL KSHETARPAL, J (Oral)

Inter se litigation with respect to the custody of the minor child is pending before the Family Court. The petitioner herein, is the natural mother of the child whereas the respondents are his grandparents. Unfortunately, the child's father has died. The court has struck off the defence of the petitioner on the ground that she did not file her written statement and reply to the application for providing the visitation rights of the minor child. She has also not paid the cost. Challenging the correctness of the aforesaid order, the present revision petition has been filed.

Heard the learned counsel representing the parties at length and with their able assistance perused the paperbook.

The learned counsel representing the petitioner submits that he has instructions to make a statement that the written statement alongwith the reply will be filed within a period of 15 days, from today, positively. He also undertakes that the petitioner will produce the child

in the Family Court on 29.11.2022.

It's an unfortunate litigation between the grandparents and the mother of the child. The Family Courts have been constituted in order to provide a platform to the parties to amicably resolve the family disputes. In such litigation, the court is required to take a holistic and pragmatic view of the matter.

Keeping in view the undertaking given, let the Family Court grant one more opportunity to the petitioner to file her written statement subject to payment of costs of Rs.5,000/-, which would also include the costs of Rs.2,000/- ordered by the Family Court.

Disposed of.

The parties through their learned counsels are directed to appear before the Family Court on 29.11.2022.

All the pending miscellaneous applications, if any, are also disposed of.

11.11.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE