

**262 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CRWP-2651-2022
Date of Decision: 14th July, 2022**

Lokesh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Aman Priye Jain, Advocate for the petitioner.
Mr. Gurmeet Singh, AAG, Haryana.

AVNEESH JHINGAN , J.(Oral)

1. This petition was filed seeking custody of detinue (son of the petitioner) from his maternal grand parents and maternal uncle.

2. On 28th April, 2022, following order was passed:-

“In pursuance of the last order, the minor child namely Shaurya Jakhar is produced in the Court by all the respondents and he appears to be in good health.

The petitioner is also present in the Court in person.

Counsel for respondents No.5 to 7 submits that they are properly taking care of the minor child.

Counsel appearing for respondents No.5 to 7 has brought to the notice of this Court that a petition under Sections 10 and 25 of the Guardians and Wards Act has already been filed before the competent Court at Mathura, against the petitioner regarding the custody of the minor child namely Shaurya Jakhar and the same is pending adjudication. Counsel for the petitioner seeks some time to address the arguments.

List again on 14.07.2022.

The appearance of the private respondents as well as the minor child Shaurya Jakhar, is exempted till further orders.”

3. Considering that the custody proceedings under the Guardians and Wards Act, 1890 are pending, it would not be appropriate for this Court to interfere in a writ petition, *moreso*, when there is no evidence before this Court to determine the welfare of the child.
4. The petition is disposed of with liberty to the petitioner to approach the Court concerned in accordance with law for interim relief, if any.

**(AVNEESH JHINGAN)
JUDGE**

14th July, 2022
Parveen Sharma

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