108 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA-377-2022
Date of decision: 20.04.2022

Mandeep Kaur Pahra .....Petitioner

versus

Ajit Singh Pahra and another .....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Ms. Neetu Singh Aashat Advocate
for the petitioner.

FATEH DEEP SINGH, J.

While cozying in her comfortable nest along with her kids in a far off foreign country of Brampton, Canada, finding nothing else but a way, Mandeep Kaur Pahra-applicant/wife had the audacity to invoke the jurisdiction of this Court under Section 24 of CPC through her brother claiming to be the holder of general power of attorney to teach her aged, infirm in-laws, parents of deceased husband, a lesson seeking transfer of a petition under Section 25 of the Guardianship & Wards Act, 1890 (in short 'the Act') from the concerned Court at Gurdaspur to Jalandhar.

Upon hearing Ms. Neetu Singh Aashat, Advocate for

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the petitioner at the preliminary hearing, the marriage between the petitioner-Mandeep Kaur Pahra and Hardeep Singh was solemnized, out of which, the couple had given birth to a daughter on 16.08.2012 and a son on 29.09.2014 and, thereafter, the couple had migrated to Canada on permanent resident basis where the husband died on 29.10.2015. It is not the case of the wife that she and the minor kids are ordinary residents of either Gurdaspur or Jalandhar or anywhere else in India and merely had brought about this invocation as a ploy and apparently, to the mind of this Court, as is revealed during the course of submissions but out of eye on the estate of the poor respondents who on the loss of their son have been left to face such an ignominious litigation by their widowed daughter-in-law.

To the specific query of this Court as to what necessitates this transfer and by what means when the petitioner's side does not intend to come back to this country and could have adopted this process while permanent residents of Canada, there the counsel was squarely at loss of words. In this modern era of electronic advancement, the Court can on its own motion or prayer of any of the parties can hold proceedings through Video Conferencing by adopting due processes of law as have been laid down in numerous ratios of various Courts of this Country.

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This Court does not find any truth or *bona fide* in this claim seeking transfer and, thus, the petition being without any merits on the face of it, stands dismissed in limine.

(FATEH DEEP SINGH)
JUDGE

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

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