

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

123

CR No.4148 of 2022

Date of decision:27.09.2022

Poonam Rajan

...Petitioner

Versus

Arun Rajan

...Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Aman Pal, Advocate for the petitioner.

TRIBHUVAN DAHIYA,J. (ORAL)

This revision petition has been filed under article 227 of the Constitution of India for setting aside the impugned order dated 30.08.2022 (Annexure P-1) whereby the petitioner's evidence was closed by the Court order.

Learned counsel for the petitioner submits that petitioner has filed petition under Sections 7 and 25 of the Guardians and Wards Act, read with Section 6 of Hindu Minority and Guardianship Act, seeking custody of her children who are staying with respondent-father. She could not testify before the Family Court since there were talks of settlement going on between the parties. And on the last date fixed for the purpose, i.e. 23.08.2022, the petitioner could not be present before the Family Court as she tested COVID positive, as apparent from the certificate (Annexure P-2) issued by Medical Officer, CHC, Ladwa, Kurukshetra. Learned counsel for the petitioner further contends that the petitioner would not be the one delaying the trial in any manner, as it is her petition for custody of children.

In view of the above, the petition is allowed and the order dated 30.08.2022 is set aside. The petitioner is granted one last opportunity to testify

before the Family Court, subject to payment of Rs. 10,000/- as costs to the respondent.

(TRIBHUVAN DAHIYA)
JUDGE

27.09.2022

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