

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

CR-5572-2022(O&M)

Date of decision:-30.11.2022

Rohit Bansal

...Petitioner

Versus

Neeta Agrawal and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Deepam Ragav, Advocate
for the petitioner.

H.S. MADAAN, J.(ORAL)

1. Briefly stated, facts of the case are that petitioner Rohit Bansal, a resident of Gurugram has filed a petition under Section 7(1)(G) of the Family Courts Act, 1984 read with Section 25 of the Guardians and Wards Act, 1890 against his wife Ms.Neeta Agrawal seeking custody of minor children of the parties i.e. minor daughter Ms.Nihira Agrawal and minor son Master Nirvaan Agrawal, presently residing with their mother Ms.Neeta Agrawal, who is none-else but estranged wife of the petitioner.

2. In the said petition pending in the Court of Additional Principal Judge, Family Court, Gurugram, notice of this petition has been ordered to be issued to respondents for 13.1.2023. In the meanwhile, the petitioner had filed an application for early hearing of the case contending that marriage of his brother is fixed for 2.12.2022 and petitioner wants presence of his minor children on that occasion, therefore, the date of

hearing in the case be preponed. His such application was rejected by the Family Court, Gurugram vide order dated 14.11.2022, which left him aggrieved and he has approached this Court by way of filing the present revision petition.

3. I have heard learned counsel for the revisionist besides going through the record and I find that there is no merit in the revision petition.

4. The trial Court considering the facts and circumstances of the case has observed that no urgent ground for preponing the case was made out. I on my part feel that merely because the petitioner wants his minor children, who are presently in custody of their mother to attend the marriage of his brother, no reason is there to prepone the date of hearing in the case. There is nothing on record to suggest that presence of children there is required under any custom or practise or to perform any religious ceremony. Merely because it is wish of the petitioner that his minor children should attend the marriage of his brother, does not mean that his petition should be taken up on preferential basis, when cases filed much earlier are pending disposal.

5. I do not find any illegality or infirmity in the impugned order passed by the trial Court.

6. Finding no merit in the revision petition, the same stands dismissed.

30.11.2022
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No