

2023:PHHC:139043
**125 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-1154-2019 (O&M)
Date of decision: 31.10.2023

Damandeep Kaur

....Petitioner

Versus

Ashok Kumar

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Vikas Singh, Advocate for the petitioner
Mr.Damanjot Bhorival, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

1. This revision petition has been filed to challenge the correctness of the order passed by the Civil Judge, Senior Division, Ferozepur, while deciding the application under Order VII Rule 11 of the Code of Civil Procedure, 1908 (hereinafter referred to as 'CPC). The dispute between the parties is with respect to the custody of a minor child namely Noor. The petitioner herein is the former wife of the respondent. The respondent has filed a petition under Section 25 of the Guardians and Wards Act, 1925. The child – Ms. Noor, is presently residing in Patiala, whereas the petition has been filed in Ferozepur.

2. After arguing at length, the learned counsel representing the parties have come to a consensus. They have jointly stated that the proceedings of the petition under Section 25 of the Guardians and Wards Act, 1825, be transferred to the court of

the competent jurisdiction at Patiala where the minor child is residing.

3. Ordered accordingly.

4. Keeping in view the facts of the case, the petitioner shall have liberty to file a fresh application under Order VII Rule 11 CPC, which shall be decided by the court, within a period of two months, from the date of its filing. The Civil Judge, Senior Division, Ferozepur, is directed to forthwith remit the file of the case to the Court of learned District Judge, Patiala, who will direct the case to the appropriate court. The parties through their counsel are directed to appear on 24.11.2023, before the court of the learned District & Sessions Judge, Patiala.

5. Disposed of.

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

31.10.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE