

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

CR No. 2953 of 2023

Date of Decision : 12.05.2023

Rajesh Kumar

...Petitioner

Versus

Ram Pal Chaudhary

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Narinder Sharma, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

The present civil revision petition has been filed for giving appropriate direction to the Principal Judge, Family Court, Sri Muktsar Sahib to expeditiously disposal of the Family Suit No. GW/38/2021 dated 02.07.2021 (Annexure P-1) titled as ***Rajesh Kumar Vs. Ram Pal Chaudhary.***

Learned counsel for the petitioner submits that by the said petition, the custody of the minor child is being claimed by the father of the child but more than two years have elapsed since the date, claim was raised but even the application seeking interim relief has also not been decided so far. The prayer in the petition is that the petition filed by the petitioner be disposed of within a specified time by the Family Court.

I have heard learned counsel for the petitioner and have gone through the record with his able assistance.

The petition under Section 6 of the Hindu Minority and

Guardianship Act read with Section 25 of Guardianship and Wards Act is pending since July, 2021. Approximately two years have already elapsed. Once, the petition has been filed by the father claiming the custody of his minor child, the trial Court is directed to dispose of the petition as expeditiously as possible. It will be appreciated that in case the same is disposed of within a period of one year from the next date of hearing.

It may be clarified that the said petition be disposed of in accordance with law after following due procedure as envisaged under law and this Court is making no observation on merit with regard to the claim raised by either of the parties.

Petition is disposed off in above terms.

May 12, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No