

130 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-4616-2023
DECIDED ON: 17.08.2023

SANDEEP SINGH SARAI

.....PETITIONER

VERSUS

RABINDER KAUR

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Mr. M.S. Saini, Advocate and
Ms. Amanpreet Kaur, Advocate
for the petitioner.

VIKRAM AGGARWAL, J (ORAL)

1. The present revision petition preferred, under Article 227 of the Constitution of India seeks a direction to the Guardian Court, Chandigarh to decide the petition titled as Sandeep Singh Vs. Rabinder Kaur (Annexure P-1) within a fixed time frame.

2. Learned counsel for the petitioner submits that the said petition has been filed by the petitioner for appointing him as the guardian of his minor children and for granting their custody to him. Learned counsel submits that the respondent is unnecessarily delaying the matter as a result of which, the petition has not been decided despite the fact that it was filed way back in the year 2019. Learned counsel submits that a direction be issued to the trial Court to dispose of the said petition in a time bound manner.

3. I have considered the submissions made by learned counsel for the petitioner and have also perused the paper book.

4. The interlocutory orders annexed with the petition show that both sides have been filing applications and now the matter is fixed for arguments

on an application moved by the respondent seeking a direction to the present

petitioner to bear all the expenses of the children. The interlocutory orders also reveal that the trial Court is taking up the matter by giving short adjournments. None of the orders show that the matter is being unnecessarily delayed. It has to be borne in mind that the trial Courts are heavily burdened and unless and until, a specific case is made out, no directions are required to be issued making the disposal of the matter time bound.

5. In view of the aforesaid, I do not find it to be a case for the issuance of directions to the trial Court for disposing of the matter in a time bound manner. However, the trial court shall continue to make efforts to decide the case expeditiously considering the fact that the matter pertains to the custody of children and shall not permit either side to unnecessarily delay the matter.

Accordingly, the present petition is disposed of.

17.08.2023
Prince Chawla

(VIKRAM AGGARWAL)
JUDGE

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