

. 2024:PHHC:024732

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
125**

**CM-1073-CII-2024 &
CM-2289-CII-2024 &
CR-343-2024**

Date of decision: 21.02.2024

PRIYANKA

.....PETITIONER

Versus

ASHISH AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Yash Yadav, Advocate,
for the petitioner.

RITU TAGORE, J. (ORAL)
CM-1073-CII-2024

C.M. is allowed subject to just exceptions. Leave to file the
petition is granted.

CM-2289-CII-2024

C.M. is allowed subject to just exceptions. Annexure 11 (zimni
order dated 20.01.2024) is taken on record.

CR-343-2024

Prayer in this revision petition is for issuance of directions to
the learned Family Court, Jhajjar, to decide the application for interim
custody of minor child in a time bound manner with a further prayer for
handing over the custody of minor child to the petitioner during the
pendency of the application for interim custody.

Heard. Paper-book perused with the assistance of the learned
counsel for the petitioner.

Copy of petition (Annexure P-1) indicates that the petitioner

has filed petition under Section 6 of the Hindu Minority and Guardianship Act, 1956 read with Section 25 of the Guardian and Wards Act, for guardianship and custody of minor child, which is pending before the learned Principal Judge, Family Court, Jhajjar. The zimini orders indicate that the proceedings are going on in the petition.

At this stage, no case is made out to give direction to the learned Family Court to decide the case in a time bound manner. However, this Court is sanguine that learned Family Court shall make sincere endeavour to dispose of the petition expeditiously. Needless to mention, parties to the petition shall assist the Court in expeditious disposal of the case.

Insofar as prayer for handing over the custody of minor child to the petitioner during the pendency of the application for interim custody is concerned, that cannot be conceded to in this revision petition. It is for the learned Guardian Judge while exercising the *paren patriae* jurisdiction, to decide, granting of interim/temporary custody or visitation rights, considering all relevant facts and circumstances, based on best interest of the child.

Petition stands disposed of accordingly.

February 21, 2024

pj

**(RITU TAGORE)
JUDGE**

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*