

2024:PHHC:031034  
**146 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CR-552-2021 (O&M)**  
Date of decision: 04.03.2024

Nitin Vohra

....Petitioner

Versus

Pritima

..Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Parminder Singh, Advocate for the petitioner  
Mr. H.P.S.Ghuman, Advocate for the respondent

**ANIL KSHETARPAL, J (Oral)**

1. The proceeding in a petition filed under Section 25 of the Guardian and Wards Act, 1890 (hereinafter referred to as '1890 Act') filed by the petitioner for claiming custody of minor son Daksh is pending before the Family Court for the last 8 years. An application filed by the petitioner for permission to lead the additional evidence has been dismissed by the court while observing that the proposed evidence has no bearing on the rights of the parties. The correctness of the aforesaid order has been challenged in this revision petition.

2. Learned counsel representing the petitioner while referring to deposition of Smt. Preeti wife of Sh.Aditya Munjal submits that such evidence shall be relevant for the decision of the case.

3. This Court has considered the submissions made by the learned counsel representing the parties.

4. While deciding the petition under Section 25 of the 1890 Act, the court is required to keep in mind the welfare of the minor child because it is of paramount consideration.

In fact, the petitioner wants to give evidence to demean the character of his wife which in the opinion of the Court would not be relevant.

5. Keeping in view the aforesaid facts, no ground to interfere is made out.

6. Hence, dismissed.

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

04.03.2024

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)  
JUDGE