



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

122

CRWP-10061-2024 (O&M)
Date of Decision:- 21.10.2024

SILKY CHUGH

....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Atul Goyal, Advocate for the petitioner.

SANJIV BERRY, J. (ORAL)

The present petition under Articles 226/227 of the Constitution of India has been preferred by the petitioner seeking issuance of writ in the nature of Habeas Corpus for releasing the detinue from the custody of respondent No.4.

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner happens to be the mother of the minor child namely Disha Chawla, who is allegedly in the custody of her husband, i.e. respondent No.4, who is natural father of the minor child. He contends that the petitioner has already preferred a petition under Section 25 of the Guardians and Wards Act with Section 6 and 13 of the Hindu Minority and Guardianship Act for the custody of the minor child in the Court of learned Principal Judge, Family Court, Ludhiana, wherein an application for interim



custody (Annexure P-8) has already been moved on 17.11.2022 but the same has not yet been decided. He submits that for the purpose of this petition, he limits his prayer only to the extent that the learned Court concerned may be directed to dispose of the matter in an expeditious manner.

- 3. Notice of motion to official respondents only.
- 4. On the asking of the Court, Mr. Ankit Grewal, DAG Punjab accepts notice on behalf of respondent-State.
- 5. After considering the limited request made by learned counsel for the petitioner and the averments made in the petition, without commenting on the merits thereof, the present petition is disposed of with direction to the Court concerned at Ludhiana to consider and dispose of the petition (Annexure P-7) in accordance with law in an expeditious manner.

(SANJIV BERRY)
JUDGE

21.10.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |