

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

T.A. No. 366 of 2008

Date of Decision: September 23, 2009

Geena

.....Petitioner

Vs.

Harpreet Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

-.-

Present:- Mr.Anil Kshetarpal, Advocate
for the petitioner.

Mr. Manu Bhandari, Advocate
for the respondent.

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M.M.S. BEDI, J. (ORAL)

This is an application filed by petitioner-wife for transfer of petition under Section 7 and 25 of the Guardian and Wards Act, 1890, (for short 'the Act') read with Section 6 and 13 of the Hindu Minority & Guardianship Act, pending in the Court of Sh.K.S. Cheema, Civil Judge (Senior Division), Patiala, to the Court of competent jurisdiction at

Chandigarh, inter-alia on the ground that the petitioner alongwith minor children born out of the wed-lock is staying at Chandigarh and that in view of the provisions of Section 9 of the Act, any petition regarding guardianship of minor has to be made to District Court having jurisdiction in the place where minor ordinarily resides.

I am satisfied that besides being inconvenience to the petitioner, statute also bars the continuation of proceedings under the Act at Patiala.

In view of the said circumstances, this petition is allowed. The petition under Section 7 and 25 of the Act read with Section 6 and 13 of the Hindu Minority & Guardianship Act, pending in the court of Civil Judge (Senior Division), Patiala, is ordered to be transferred to Chandigarh. File complete in all respects be sent to the transferee Court i.e. Civil Judge (Senior Division), Chandigarh, by November 21, 2009. Parties are directed to appear before the transferee Court on November 21, 2009.

September 23, 2009
sanjay

(M.M.S.BEDI)
JUDGE