

(2006) 01 P&H CK 0228

High Court Of Punjab And Haryana At Chandigarh

Case No: C.M. No. 16160-CH of 2004

Pooja Sharma @ Bhawana
Sharma

APPELLANT

Vs

Satish Kumar

RESPONDENT

Date of Decision: Jan. 24, 2006

Acts Referred:

- Guardians and Wards Act, 1890 - Section 10, 7

Citation: (2006) 2 CivCC 648 : (2006) 2 RCR(Civil) 76

Hon'ble Judges: Hemant Gupta, J

Bench: Single Bench

Advocate: Ajay Sangroha, for the Appellant; Robin Dutt, for the Respondent

Final Decision: Allowed

Judgement

Hemant Gupta, J.

The petitioner has sought transfer of petition filed by the respondent u/s 7 read with Section 10 of the Guardian and Ward Act, 1890 (hereinafter to be referred as "the Act"), for appointment of Guardian with respect to the person of minor. The said petition has been filed at Jagadhri. In the petition, it has been pleaded that the minor is residing with his mother in her paternal house, which falls within the jurisdiction Tehsil Dera Bassi, District Rajpura.

2. The petitioner has sought transfer of the said petition to Rajpura on the ground that the petitioner's life is under threat as the respondent is a man of criminal nature and the respondent may exercise his influence against her

3. Once it is the admitted stand of the respondent that the minor is staying with his mother at Dera Bassi falling within the jurisdiction of Tehsil Dera Bassi, District Rajpura, the petition for appointment of a Guardian is maintainable, only before the Courts at Rajpura.

4. Consequently, the present petition is allowed. The case No.75-G of 24.11.2003 Satish Kumar V. Pooja Sharma, pending in the Court of Civil Judge, Jagadhri, exercising the powers under the Guardian & Ward Act, shall stand transferred to the competent Court at Rajpura.

5. Parties through their counsel are directed appear before the learned District Patiala on 7.3.2006 on which date the learned District Judge shall entrust the case to the competent Court at Rajpura.