



FAO-2222-2025 (O&M)

1

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

(133)

FAO-2222-2025 (O&M)

Date of Decision : September 26, 2025

Manju**.. Appellant****Versus****Krishan and another****.. Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MRS. JUSTICE RAMESH KUMARI**

Present: Mr. Saurabh Sharma, Advocate, for the appellant.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present appeal, the challenge is to the order dated 17.01.2025 passed by the Principal Judge, Family Court, Jind by which, the petition under Section 7 and 25 of the Gaudian and Ward Act, 1890 has been dismissed on the ground of jurisdiction as the minor child is residing at Hyderabad whereas, the petition was filed in the Family Court, Jind.

2. Learned counsel for the appellant submits that the child was residing at Jind when the petition was filed and therefore, the said finding given by the Family Court is contrary to the facts on record.

3. On being asked to show any fact or the evidence, which has been brought on record to show that on the day when the petition was filed, the child was living in Jind, learned counsel for the appellant has not been able to show any such document.

4. Once, the finding recorded by the Family Court, Jind that the child is residing at Hyderabad along with her maternal uncle i.e. brother of the appellant, the filing of the petition at Jind to secure the custody has rightly been declared as beyond jurisdiction to entertain the same. The petition for custody can only be

**FAO-2222-2025 (O&M)****2**

filed where the child is residing and as per the finding recorded by the Family Court that the child was residing with the maternal uncle at Hyderabad, who has been appointed as a guardian as per the Court order.

5. Once, the finding recorded by the Court has not been proved to be perverse keeping in view the evidence brought on record, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

6. Accordingly, the appeal is dismissed.

7. Civil miscellaneous application pending if any, also stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 26, 2025
harsha

(RAMESH KUMARI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No