

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

**Sr. No.115-3**

**CR-4201-2024 (O&M)  
Date of Decision: 05.03.2025**

**KULDIP SINGH AND OTHERS**

**...Petitioners**

**Versus**

**SWARAN KAUR**

**....Respondent**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. H.S. Rakhra, Advocate  
for the petitioners.

Mr. V. Ramswaroop, Advocate  
for the respondent.

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**ARCHANA PURI, J. (Oral)**

**CM-15580-CII-2024**

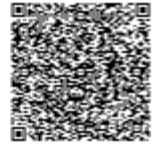
The present application has been filed for placing on record the reply on behalf of the respondent.

In view of the averments made in the application, same is allowed and the requisite reply is taken on record.

**Main case**

The petitioner-Kuldip Singh and his parents, have invoked the jurisdiction of this Court, under Article 227 of the Constitution of India, for setting aside the order dated 05.07.2024 (Annexure P-10) passed in the guardianship petition i.e. GW/14/2024, titled '*Swaran Kaur Vs. Kuldip Singh etc.*', by learned Family Court, whereby a direction was given to the petitioners to produce the children before the Court on 31.07.2024.

In pursuance of notice issued, respondent made appearance



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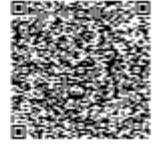
through counsel and filed reply.

The counsel for the parties heard.

From the paperbook, it is evident that there is a matrimonial dispute between petitioner No.1-Kuldip Singh and the respondent-Swaran Kaur. Two children born from the said wedlock, are in the care and custody of the applicant. Various rounds of litigation have been initiated by both the sides. One guardianship petition i.e. GW/14/2024, filed by the respondent-wife, is pending in the Courts at Hoshiarpur. An application was filed by the respondent-wife, for seeking interim custody of the minor children and for issuance of directions to the petitioners, to allow her to meet the minor children. However, when the reply had not so been filed to the said application, an order was passed by the Family Court to produce the children, while observing their age to be 3½ years and 6 years, which fact would be helpful to the Court, further for just decision of the application. The order passed by the Family Court, for the convenience, is reproduced as hereingiven:-

*“Reply to the application filed by the petitioner for passing necessary directions to the grandparent’s of the child not filed. Ld counsel for the petitioner requested the Court to issue directions to the grandparents of the children to produce them in the Court. The Ld counsel for the respondent, on the other hand, opposed to the request. Since, one of the child is only about 3 ½ years old and the second one is about 6 years old, therefore, before reply and decision of the application, the Court intents to produce the children in the Court in order to proceed further, which would be helpful to the Court for the just decision of the application. Therefore, the respondent as well as his parents are directed to produced the children before the Court for 31.07.2024.”*

Now, it is submitted by the counsel for the petitioners that the petitioners apprehend the handing over of the custody of the children, to the



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respondent-wife, if so produced in the Court. However, this apprehension is an act of overthinking, on the part of the petitioners. Perusal of the aforesaid order clearly reveals that it is for the interaction of the children with the Court, that they have been sought to be produced by the petitioners, only with the purpose to seek assistance, for the just decision of the application. The tone and tenor of the order is to be taken into consideration. The said order was passed only to have interaction with the children.

In view of the aforesaid observation, the counsel for the petitioners submits that the apprehension of the petitioners, stands clear and in view of the same, he does not want to pursue with the present revision petition, which may be dismissed as withdrawn.

Ordered accordingly.

However, the observations made are only with the purpose to address to the apprehension of the petitioners. Anyhow, these are circumscribed only for the purposes of disposal of the revision petition and shall not have any bearing on the decision of the application, filed by the respondent-wife, for issuance of direction, relating to which reply was yet to be filed before the Family Court. Learned Family Court, shall proceed further to decide the application independently, on the basis of the material coming forth.

In view of the aforesaid terms, the revision petition is hereby disposed of.

**05.03.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No