

Dr. Manjit Singh Vs. Sneh Lata Sandhu

CNR No. PBHO02-001465-2015

Present: Sh. S.K. Rayat, Adv., counsel for the petitioner
Sh. R.P.Dhir, Adv., counsel for the respondent

ORDER

This order of mine shall dispose of the two applications one is application for directing Dr. Manjit Singh not to stop the respondent from meeting the minors filed by respondent Sneh Lata Sandhu and the another application for directing the respondent not to interfere in the peaceful school life of the children moved by petitioner Dr. Manjit Singh.

2. The brief facts of the application moved by respondent Sneh Lata Sandhu are that the petitioner filed the present petition to declare him as guardian of the minor children namely Vineet Singh and Parneet Singh being father. During the pendency of the petition Dr. Manjit Singh gave assurance to the respondent that he would not stop her from meeting the minors. Although, both the petitioner and respondent are living on the ground floor as well as on the first floor of the same house and whenever the respondent tries to meet the minors the petitioner creates nuisance and started abusing. As she is the mother of the minor children, she is being harassed by stopping her from meeting the minors and prayed for directing the petitioner not to stop her from meeting the minors.

3. Petitioner Dr. Manjit Singh also moved an application, in which he submitted that the respondent in order to harass the petitioner got stopped the bus while traveling to the School in the way and in presence of the other students in the bus do such act that the minor children felt ashamed in front of other students. The other students gave

taunts to the minor children for the insane acts of the respondent on road by stopping the school bus. The respondent extreme when on 15.10.2016 the respondent intentionally and deliberately with intention to harass the petitioner stopped the children while entering into the school bus and started quarreling with the petitioner in presence of the other students sitting in the school bus. The respondent due to her said act created terror in the minds of the innocent children. The respondent quarreled with the petitioner in such a brutal manner in presence of all the children and created scene of terror and tried to snatch the children from the custody of the petitioner. Therefore, the petitioner had to call at number 100 and reported the matter to the police and the PCR official reached at the spot and due to their intervention the position could be saved at the spot and prayed for issuance of directions to the respondent not to interfere in peaceful school life of the children.

4. After hearing the Ld. Counsel for the parties, the court thought it necessary to record the statements of children, who appeared in the court and both stated that they do not want to live with the respondent. Vineet Singh, aged about 11 years, studying in 6th class categorically stated that he does not want to live with his mother and she is not looking after him and she used to chase the school bus and the students sitting in the school bus used to stare at him and he felt ashamed. No doubt father and mother both have right to meet their children, even the children are living with one of the parents, but it is unique case, in which serious allegations are levelled by both the parties against each other. The petitioner has placed on record a C.D. and photographs of respondent

showing the respondent in obscene act and objectionable conditional and postures. The said piece of evidence is yet to be proved by the parties. The respondent cannot be allowed to meet the children in the school bus or while going the students to school and she cannot be allowed to create scene regarding which the tender minds of the children are feeling ashamed in the presence of their friends. So, I do not find any merit in the application filed by the respondent and same is ordered to be dismissed, whereas the application filed by the petitioner is allowed. The respondent is directed not to interfere in the peaceful school life of children while going or coming back to school from home. However, it is made clear that efforts will be made by the court to direct the children to meet with the respondent in the court room whenever the case would be fixed for proceedings in the court.

Announced:
13.02.2017

'Avtar, J.W.'

Amrinder Pal Singh
Civil Judge (Sr. Division)
Hoshiarpur (UID No. PB0217)

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Sh. R.P.Dhir, Adv., counsel for the respondent

Vide my separate detailed order of the even date the application for directing Dr. Manjit Singh not to stop the respondent from meeting the minors filed by respondent Sneh Lata Sandhu and the another application for directing the respondent not to interfere in the peaceful school life of the children moved by petitioner Dr. Manjit Singh disposed off as detailed therein. From the pleading of the parties following issues are framed:-

1. Whether it is in the welfare of the minor children to appoint the petitioner as guardian and custodian of them? OPP
2. Relief.

No other issue pressed, claimed or arises. Now to come up on 6.04.2017 for evidence of the petitioner. List of witnesses, PF/D.M. be filed within seven days.

Announced:
13.02.2017

'Avtar, JW'

Amrinder Pal Singh
Civil Judge (Sr. Division)
Hoshiarpur