

IN THE COURT OF H.S.SINDHIA, PCS
ADDITIONAL CIVIL JUDGE (SENIOR DIVISION) RAJPURA

Vineet Arora Vs. Sonia Khatri

Petition Under Section 25 of Guardian & Ward Act.

Present: Mr. Sanjay Garg, Adv. for the petitioner/respondent.
 Mr. S.K.Jain Adv. for respondent/applicant.

ORDER

1. This order of the Court shall dispose of an application filed by the respondent/applicant for issuance of directions to the petitioner to disclose his proper and correct place of residence along with copy of sale deed in his own name. It has been averred in the application that the present litigation is going on from the last many years between the parties and in all litigation pending earlier, petitioner had mentioned his residential address at different places. It has been further averred that petitioner is serving at Delhi/Gurgaon region for the last 7/8 years but he had never disclosed his residential address of that places. It has been further averred due to pending litigation, petitioner had intentionally mentioned his different residential address just to concealment of facts from the Court, in case present petition be allowed, respondent will be unable to trace out the whereabouts of her minor girl child. It has been further averred that in these circumstances, the petition is liable to be dismissed and prayed that direction be issued to petitioner to disclose his proper and correct address.

2. The application has been contested by the petitioner on the ground that application is not maintainable because he had been worked under so many private companies from February 2010 to June

2014 and now from June 2014 he is working under Intex Technology and this fact has already been admitted by respondent in petition u/s 125 Cr.P.C.. It is further submitted that 90 days has been elapsed to file the reply and present application has been filed just to delaying the matter on one pretext or other, otherwise by not mentioning of proper address will not affect the merits of the petition and he prayed for dismissal of the application.

5. After hearing rival contentions of both the parties and have gone through the record on the file, perusal of the file shows that question regarding address is not subject matter of the present case. Moreover, the petitioner has admitted in his reply that now from June, 2014 he is working under Intex Technology and before this he was working with private companies. Applicant has right to raise objection regarding address in her written reply. Moreover, in case any party will conceal anything relevant from the Court, then adverse inference will be drawn against said party at appropriate stage. Hence, the Court is of the considered view that present application has been filed by the respondent/applicant just to delay the proceedings of the case and subject matter of the present application has no connection with regarding to the relief sought by respondent/petitioner and accordingly, the present application being devoid of any merits, is hereby dismissed.

Pronounced
21.3.2015

(H.S.Sindhia)
Addl. Civil Judge (Sr.Division)
Rajpura

