

Exh. No. \_\_\_\_\_.

MHTH010036772023



Presented on : 26.04.2023

Registered on : 26.04.2023.

Decided on : 22.08.2023.

Duration : Y-00 M-03 D-26

**IN THE COURT OF DISTRICT JUDGE-6, THANE,**

**AT – THANE**

(Presided over by P. M. Gupta)

**Civil M.A.No.145/2023.**

Samruddhi Devanand Koli  
Age- 18 years, Student,  
R/at-Flat No.203,  
Jui Sarovar Darshan Building,  
Almedda Road, Near TMC,  
Chandanwadi, Thane (W) 400 602.

**. . Applicant**

**Vs.**

NIL

Application u/s. 8 of the Guardians and Wards Act, 1890.

Appearances : Learned Adv. Mr. S. S. Gaikwad for the applicant.

**: ORDER :**

(Delivered on this 22<sup>nd</sup> day of August, 2023.)

This is an application under section 8 of the Guardians and Wards Act, 1890 for appointment of guardian of the minor.

2] The facts in brief for making the application are as follows -

The applicant is elder sister of the minor namely Ms. Sanskruti Devanand Koli aged about 14 years. The father of applicant and above named minor was died on 11.05.2021. While their mother was died on 22.01.2023. Their parents have purchased two properties. For mutation of the name of applicant and above named minor in respect of those properties in the relevant record of the government, they need heirship certificate and succession certificate. Thus, the applicant needs guardianship certificate of above named minor.

3] For calling the objections if any, to the claim of applicant, notice (Exh.10) was published on 14.06.2023 in a daily newspaper namely "Global Times" mainly circulating in Thane district. However, till date nobody appeared in this case for raising the objection to the claim of the applicant.

4] Following points arise for my determination and I have recorded my findings thereon with reasons as under.

	<b><u>Points</u></b>	<b><u>Findings</u></b>
1)	Whether the applicant be permitted to appoint her as guardian of minor ?	Yes.
2)	What order ?	Application is allowed as per final order.

### **REASONS**

**As to point No.1 and 2 -**

5] In this case the applicant has filed her affidavit (Exh.7),

copy of death certificates of parents, copy of birth certificate of applicant and above named minor etc.

6] Perused the application, documents available on record and affidavit (Ex.7) submitted by the applicant. Heard the Id. Advocate for the applicant. The applicant is elder sister of above named minor. After the demise of parents, above named minor is residing with the applicant. The applicant is taking care of above named minor. The said fact is verified from the minor who appeared in the court during hearing of the application. It comes to my knowledge that minor is in custody of the applicant. She is taking proper care of her. For proper care of property of minor, the applicant wants heirship certificate and succession certificate. For that purpose she needs guardianship certificate of the minor. Thus, for over all welfare and well-being of minor it is necessary to appoint the applicant as guardian of her. Hence, I answer point No.1 in the affirmative and proceed to pass following order.

**ORDER**

- 1) The application is hereby allowed.
- 2) The applicant is hereby appointed as guardian of minor namely Sanskruti Devanand Koli, aged about 14 years, till she attains majority, as per the provision of the Guardians and Wards Act, 1890.

Date-22.08.2023.

(P. M. Gupta)  
District Judge-6, Thane.