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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

GUARDIAN PETITION NO. 12 OF 2015

Ms. Janhavi Ajay Sargaiya

Ms. Mehek Ajay Sargaiya ...Minor Children

Laxmi Chotelal Sargaiya ...Petitioner

Mr. Mohammed Suffiyan Umar Lakdawala,

Advocate for the Petitioner

CORAM : MRS. ROSHAN DALVI, J.

DATED : 21ST APRIL, 2015

P.C. :

1. The petitioner is the paternal grandmother of minor children Janhavi and Mehek Sargaiya. The father of the minor children has expired. The parents of the minor children have been divorced. The grandfather of the minor children has also expired. The petitioner has taken consent from her own children who are the paternal uncle and aunt of the minor children.

2. The petitioner has produced her Adharcard for her identification. The petitioner has produced the birth certificates of the minor children and the death certificate of the father and grandfather. She has also produced certified copy of the decree of divorce granted in favour of the father of the children against their mother. Paragraph 28 of the

judgment in that case show that the father of the minor children had custody of the minor children and cared for them. He educated them. Upon his demise the petitioner has offered to care for the minor children.

3. The father of the minor children was a Motor-man in the Central Railway. The petitioner has produced two salary slips of Central Railway for the months of November and December 2010 and form 16 for the assessment year 2013-2014 showing his employment.
4. The petitioner is a fit and proper person to be appointed guardian of the person and properties of the minor children.
5. The petitioner is appointed their guardian.
6. The Central Railway shall issue the cheque for the death dues of the father of the minor children in the name of the Accounts Officer of High Court, Bombay.
7. The Accounts Officer, High Court, Bombay shall invest the said amount in the FDR of any nationalized bank until the minor children attain majority.
8. The petition is disposed off accordingly.

(ROSHAN DALVI, J.)