

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
GUARDIANSHIP PETITION NO. 16 OF 2011**

Anjayya S/o. Kurmayya K.Buleri

...Petitioner

Mr. Santosh S. Jagtap, *for the Petitioner.*

CORAM: G.S. PATEL, J
DATED: 8th June 2016

PC:-

1. This is a Petition under the Guardians and Wards Act, 1890. The Petitioner is the elder brother of Master Rohit Kurmayya Buleri, a minor. Their father Kurmayya Kottaya Buleri died on 29th December 2008. He was residing at Nehru Nagar Zopadpatti, Near Navre Baug, Building No. 9, Saibaba Nagar, behind the Temple, Kurla (East), Mumbai - 400 024. Kurmayya's death certificate is annexed.

2. Rohit was born on 7th June 1999. This Petition was brought in 2011 when he was 12 years old. The minor lives with the Petitioner, his elder brother. In his own right, the minor is entitled to the Provident Fund amount of Rs. 1,21,755/- due to the deceased. The two brothers have no other relatives. The interest of the Petitioner is not adverse as to that of the minor.

3. No person is appointed as Guardian of the minor. The order on this Petition is required to enable the Petitioner to collect the Provident Fund dues on behalf of the minor. The Petitioner agrees and undertakes to collect those dues and to have them keep aside for exclusive use of the minor. This statement is accepted as an undertaking to the Court.

4. The Petition is made absolute in terms of prayer clause (a), which reads thus:

“(a) That the Petitioner abovenamed or some fit and proper person may be appointed as Guardian of the person and property of the minor in respect of the amount of Rs. 1,21,755/- due and payable to the minor as the amount of provident fund in account No. FPF/II/5712/10-11, dated 2nd December 2010 in Office of the Superintendent, (Solid Waste Management), Brihanmumbai Municipal Corporation, “L” Ward, Brihan Mumbai Municipal Corporation, Mumbai;”

(G. S. PATEL, J.)