

JS/V

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
GUARDIANSHIP PETITION NO.28 OF 2015**

Leelabai Ananda Arekar

...Petitioner

Mr. Mohd. Suffiyan Umar Lakdawala, *for the Petitioner.*

**CORAM: G.S. PATEL, J
DATED: 20th April 2016**

PC:-

1. The Petitioner is the paternal grandmother of the two minor children named Sanjana Ramesh Arekar and Ayushi Ramesh Arekar. Sanjana was born on 9th November 2003 and Ayushi was born on 31st December 2006. Their birth certificates are annexed. Their parents were Ramesh Ananda Arekar and Seema Ramesh Arekar. Seema died on 6th February 2010 and Ramesh died on 7th June 2010. Their death certificates are annexed. Both died intestate. The other relatives in the families include the Petitioner's husband, the paternal grandfather, three paternal aunts, the maternal grandparents and paternal married aunt.

2. It seems that Ramesh Arekar was an employee of Western Railways. There are some dues that are owed to him. He also had an

LIC policy. The female minors live with the paternal grandmother, the Petitioner, who is looking after them.

3. In view thereof, the Guardianship Petition is made absolute in terms of prayer (a) to (i) which read as follows.

(a) That Notice under Section 11 of the Guardian and Ward Act VIII of 1890 may be dispensed with.

(b) That the Petitioner being the paternal Grandmother of the said minor Children's may be appointed as Guardian of the said minor without any remuneration and without any surety generally of the right, title and interest of the person and property of the Minor Children's namely (1) Ms. Sanjana Ramesh Arekar, and (2) Ms. Ayushi Ramesh Arekar.

(c) That the said employer of the Minor Children's father viz: Western Railway having office at DRM office, Mumbai Central be directed to forward all the amount standing to the credit of the Minor Children's father (deceased) lying under Claim Register No.E/E/789/08/10/1 with the office of the Accounts Office High Court (O.S) Bombay as due to the Deceased.

(d) Life Insurance Corporation of India Having its office at Unit 9354, 1st Floor Jeevan Seva, Santacruz, bearing Policy No.907418145, be directed to forward all the amount standing to the credit of the Minor Children's father (deceased) with the office of the Accounts Office High Court (O.S.) Bombay as due to the deceased.

(e) That the Accounts Office High Court (O.S.) Bombay may be directed that the amount received from Employer Western Railway and Life Insurance Corporation of India be invested in any Nationalized Bank in the name of the Minor Children's equally till the minor attain their respective age of majority.

(f) That the Petitioner be directed to sign on behalf of the said Minor Children's and being the guardian of the said minor (1) Ms. Sanjana Ramesh Arekar, and (2) Ms. Ayushi Ramesh Arekar to encash proceeds and give valid discharge on behalf of the said Minor Children's.

(g) That the Office of the Accounts Office High Court (O.S.) Bombay be directed to pay to the Petitioner the interest accrued due on the amount every six months without the Petitioner being liable to account for the same.

(h) That the Petitioner or Applicant may be granted permission to apply to this Honourable Court as and when there may be an occasion.

(i) That the Petitioner or Applicant is liable to receive the pension amount of deceased from the employer on behalf of the minors.

4. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)