

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
GUARDIAN PETITION NO. 7 OF 2016**

Sandeep Murlidhar Bhogte

...Petitioner

Mr. K.C. Prasty, i/b *Nirmala Vyas for the Petitioner.*

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

PC:-

1. The Petitioner is the paternal uncle of the minor Omkar. Omkar's father and the Petitioner were brothers. Omkar's father Nitin Murlidhar Bhogte died on 22nd November 2006. His wife Susmita Nitin Bhogte died on 27th March 2015. Their death certificates are annexed. The Petition states that there are no relations on the maternal side.

2. After Susmita's death, the minor has been cared for by the Petitioner who has had him admitted to I.E.S. Modern English School at Dadar (West), Mumbai. The Petitioner also pays for minor's schooling, educational and other expenses. The Petitioner's interest is not adverse to that of the minor. The parents of the minor were died intestate. Omkar is nominated in Susmita's property and bank accounts.

3. The Petition is made absolute in terms of prayer clauses (a), (b) and (c), which read thus:

“(a) Notice Under Section 11 of the Guardian and Wards Act, VIII 1890 be dispensed with;

(b) That the Petitioner Sandeep Murlidhar Bhogte being paternal uncle of minor Omkar Nitin Bhogte, who was born 04.01.2002 be appointed as guardian of the minor child without security and without any remuneration;

(c) That the amount of rent and the bank savings, be allowed to be deposited in any Nationalised Bank and the Petitioner be allowed to withdraw such amounts from time to time for using the same towards the educational and other incidental expenses of the minor Omkar Nitin Bhogte.”

4. Prayer (c) regarding withdrawal and utilization of funds in Susmita’s account is permitted subject to these amounts being used only towards meeting the actual educational and other incidental expenses of the minor Omkar. The Petitioner will file half yearly statements of accounts showing the various accounts of which the minor is a nominee and the drawals from these accounts.

5. List the matter for compliance and directions on 16th December 2016. On that day, the first half yearly statement will have to be filed.

(G. S. PATEL, J.)