

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1886 OF 2016

Nitin Keshaw Kad : Petitioner.
versus
Mrs. Lata Nitin Kad
Residing with & under the care of
next friend father,
Mr. Jalinder Nathu Katore : Respondent.

Mr. Prabhakar Jagdale for the Petitioner.
Mr. Chetan Shah for the Respondent.

CORAM : R. M. SAVANT, J.
DATE : 04th January 2017

P.C.

1 The order dated 25/11/2016 passed by the learned Civil Judge, Senior Division, Pune rejecting the application (Exhibit 84) filed by the Petitioner herein for appointment of a guardian for the Respondent wife on the ground that she is of a unsound mind is taken exception to by way of the above Petition.

2 The said application has been rejected on the ground that the said fact would have to be proved in Court and hence the said application was not tenable at the said point of time. It seems that the Respondent herein has filed her written statement and has also engaged an advocate. In this Court also she is represented by an Advocate. Hence the Trial Court was right in rejecting the application by observing that the said fact would have to be proved in Court.

Hence no case for interference in the writ jurisdiction of this Court is made out.

The above Writ Petition is accordingly dismissed.

[R.M.SAVANT, J]