

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
GUARDIANSHIP PETITION NO.22 OF 2017

Sunita Sanjeev Singh ... Petitioner
Vs.
Taniska Sanjeev Singh ... Respondent

Ms Yashashree A. Sutrale for Petitioner.

CORAM : R. G. KETKAR, J.
DATE : AUGUST 24, 2017

P.C. :

Heard Ms Sutrale, learned Counsel for the petitioner at length.

2. By this Petition, petitioner has inter alia prayed for dispensing with notice under Section 11 of the Guardians and Wards Act, 1890; for permission to sell and transfer flat No.002, A-Wing on the ground floor of building known as “Sargam” admeasuring 444.55 sq.ft. built up area at Mira Road (East), Thane 401107 (for short 'suit premises'); for appointing petitioner as guardian of Ms Tanishka Sanjeev Singh and for depositing the minor's share with the Accounts Officer, High Court, Bombay and / or allow the petitioner to invest the minor's share by way of Fixed Deposit in the Bank.

3. Ms Sutrale submitted that petitioner along with her husband Sanjeev Ram Singh (deceased) agreed to purchase the suit premises on 01.06.2004. She submitted that during the lifetime of the deceased, he had accepted token amount from the prospective purchasers on 25.12.2016. Unfortunately, petitioner's husband died on 30.12.2016. She submitted that daughter Tanishka is born on 30.03.2002 and has completed the age of 15 years. She has taken me through the Petition and in particular, paragraph 25. She submitted that the total

consideration for the transaction dated 07.02.2017 is Rs.32,02,000/ and therefore, the minor daughter Tanishka is entitled to Rs.8,00,500/- when the sale is effected. The sale is in the interest of the minor and her benefit.

4. In view thereof, Petition is allowed in terms of prayer clauses (a) and (b). The amount of Rs.8,00,500/- shall be deposited with Accounts Officer, High Court, Bombay. The same shall thereafter be invested in Fixed Deposits scheme of any Nationalized Bank in the account of Guardianship Petition No.22 of 2017 for a period of 3 years. Order accordingly.

(R. G. KETKAR, J.)

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