

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

OPRDINARY ORIGINAL CIVIL JURISDICTION

MISC. APPLICATION NO. 1 OF 2017

IN

GUARDIANSHIP PETITION NO. 20 OF 2015

Preeti Pradip Patil] Applicant

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Ms. Suman Jain, for the applicant.

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CORAM : R.G. KETKAR, J.

DATE : 14TH AUGUST, 2017.

P.C.

Heard Ms. Jain, learned Counsel for the applicant.

2. Applicant has sought permission to let out Flat No. A-502 situate at Gopchar Sahakari Nirman Sanstha Maryadit, 130, Dr. Annie Besant Road, Worli, Mumbai 400 018 [for short 'the said property'] which stands in the name of grandmother of minor Soham viz: Pratibha Kesrinath Rane. She submitted that Pratibha Rane expired on 24th November, 2001. She further submitted that applicant has instituted Guardian Petition No. 20 of 2015 in this Court u/s 6,7,9 and 12 of the Guardians and Ward Acts, 1890 for her declaration as guardian of the property and person of minor Soham. Soham is the son of the petitioner's deceased brother Sharad Rane. She submitted that Sharad and his wife Sakshi both have passed away. She submitted that Sharad died on 16th August,

2012 and his wife Sakshi died on 8th October, 2014. Sakshi Rane's parents, i.e the maternal grandparents of the minor have passed away. The minors paternal grandparents have also passed away. She submitted that Society is charging maintenance charges of Rs. 2,000/- per month in respect of the said property. As a guardian, applicant is unable to pay the said charges as the said property is locked and is lying vacant. Keys of the said property are with the applicant. In the interest of minor and to generate the income for the payment of maintenance of the said property, for education and betterment of the minor, the applicant seeks permission to let out the said property on leave and licence basis.

3. In view thereof and for the reasons set out in the application, permission is granted in terms of prayer clause (a). Misc. Petition is allowed with no order as to costs.

[R.G. KETKAR, J.]