

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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FAO-807-2008 (O&M)

Date of decision: 31.10.2017

Pardeep Kumar alias Piara Lal

...APPELLANT

VERSUS

General Public

....RESPONDENT

**CORAM: HON'BLE MR. JUSTICE M. M.S.BEDI
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present: None.

M.M.S.BEDI, J. (ORAL)

The appellant had filed an application under Section 25 read with Section 6 of the Guardian and Wards Act for his appointment as guardian of minor Suman Khosla daughter of his deceased brother and *bhabhi* claiming that after their death, she was under care and custody of the appellant.

The lower Court has dismissed the application after issuing notice to general public on the ground that the appellant has not produced any document proving that his name is Piara Lal also, which name is mentioned in the birth certificate produced by the appellant. The Court had arrived at an opinion that the appellant has not been able to show whether allowing the application would be, in any manner, for the welfare and benefit of the minor.

A perusal of the record indicates that at the time of filing of the application, Suman was aged 9 years, her date of birth being 11.01.1998. Considering the said averment to be correct, the age of Suman, as on date, would be more than 18 years.

In view of the brother's daughter of the appellant having attained majority and none having put in appearance on behalf of the appellant, the proceedings appear to have outlived the utility.

Appeal is dismissed for non-prosecution.

(M.M.S.BEDI)
JUDGE

(AUGUSTINE GEORGE MASIH)
JUDGE

October 31, 2017

pj

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No