

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
GUARDIANSHIP PETITION NO. 14 OF 2018**

Vanita Laxman Kamble

...Petitioner

And

Harshada Ankush Kamble & Budharaj Ankush
Kamble

...Minors

Mrs Meenu Singh, i/b Komal Gupta, for the Petitioner.

CORAM: G.S. PATEL, J

DATED: 30th July 2018

PC:-

1. The Petition is under the Guardians and Wards Act 1890. There are two minors. Harshada is 17 years old. Budharaj is 14 years old.

2. The Petition is brought by their paternal grandmother, Vanita Laxman Kamble. The two minors are the children of Vanita's son Ankush Laxman Kamble and his wife Ankita. Ankush died on 1st August 2015. Ankita died before him on 28th April 2007. Both left property. Harshada and Budharaj have thus lost both their parents. Since the death of their father, they have been residing with his mother, the Petitioner to this petition. Photocopies of the death certificates of Ankush and Ankita are annexed to the petition.

3. Ankush worked for the MCGM during his lifetime. He was entitled to provident fund, bonus, pension, gratuity and other benefits. When the Petitioner applied for release of these benefits in the name of the minor children, the MCGM by its letter dated 1st December 2015 required her to obtain a guardianship certificate.

4. According to the Petitioner, there is no Will. She further states in paragraph 7 that she has no interest in the estate of the deceased son and daughter-in-law adverse to that of the minors. She also states that these two children are the only children of the Petitioner's son and daughter-in-law.

5. No other application has been made by any person for appointment of a guardian. The Petitioner alone has now the responsibility of caring for both minors.

6. Having regard to these circumstances, I believe it is necessary to make an order on the Petition. The Petition is accordingly made absolute in terms of prayer clauses (a) and (b).

7. Guardianship certificate is to be issued expeditiously.

8. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J)