

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

C.A.F. NO.4371/2017

IN

FIRST APPEAL NO.431/2011

The Divisional Manager, M.S.R.T.C., Tah. & Distt. Bhandara

..Vs..

Ku. Tina Dnyaneshwar Sathwane and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. Bhagyashree Reddy, Advocate h/f Shri V.H. Kedar, Advocate for the appellant.
Shri A.R. Godbole, Advocate for respondent No.3.

CORAM : Z.A. HAQ, J.

DATE : 3.9.2018.

By this application, the appellant prays that it be permitted to bring on record the legal representatives of deceased guardian of respondent Nos.1 and 2 (aged about 4 year and 2 year respectively as shown in the cause title). The application is misconceived. The Advocate for the appellant is not in a position to assist the Court.

Civil Application Nos.1256/2018 and 1257/2018 are filed praying that guardian be appointed for respondent Nos.1 and 2.

In view of the above facts, the Civil Application No.4371/2017 is **dismissed** with costs of Rs.2,000/- (Rs. Two Thousand) to be deposited by the Advocate for the appellant with the High Court Legal Services Sub-Committee, Nagpur. The receipt showing payment of costs be placed on record of this appeal within four weeks.

C.A.F. NOS.1256/2018 AND 1257/2018

By these applications, the appellant prays that Anusaya Anandram Sathawane be appointed as guardian of respondent No.1 - Tina and guardian of respondent No.2 - Shubham. While making oral submissions, learned Advocate for the appellant has submitted that Anusaya Sathawane is paternal grandmother of Shubham. The Advocate for Anusaya Anandram Sathawane submitted that Tina has attained majority.

The facts of Civil Application No.4371/2017 and the facts of these applications show that the applications are filed mechanically and without advertent to the relevant aspects. This Court is required to waste almost 15 minutes to understand the controversy and then it transpired that the applications are totally misconceived. These two applications are **dismissed** with costs of Rs.10,000/- (Rs. Ten Thousand) to be deposited by the Advocate for the appellant with High Court Legal Services Sub-Committee, Nagpur. The receipt showing the deposit of costs shall be produced on record of this appeal within four weeks.

The appellant will be at liberty to move appropriate application / applications in the matter, if so advised.

JUDGE