

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR
AND
HON'BLE SRI JUSTICE T. AMARNATH GOUD

C.M.A. NO.37 OF 2018

JUDGMENT: (per Hon'ble Sri Justice C. Praveen Kumar)

This appeal came to be filed challenging the order dated 11.12.2017, passed in G.W.O.P.No.302 of 2017, by the I Additional Chief Judge, City Civil Court, Secunderabad, wherein the petition filed under Section 29 of the Guardians and Wards Act, 1890, permitting the first petitioner to sell the schedule property on behalf of petitioner Nos.2 and 3, was rejected.

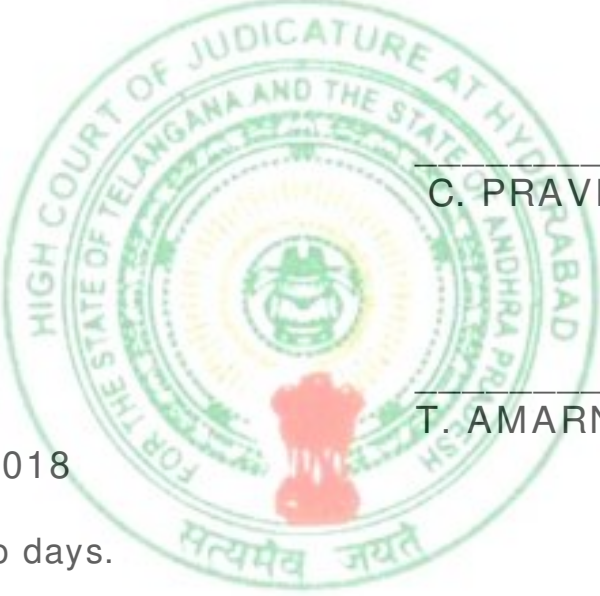
2. Though various grounds are raised, learned counsel for the petitioners mainly submits that the document evidencing the property in the name of the minor petitioners is not filed before the trial Court and hence seeks to set aside the impugned order.

3. We are of the opinion that non-filing of the document before the trial Court cannot be a ground to set aside the order passed by the Court below.

4. However, having regard to the facts in issue, the appeal is disposed of giving liberty to the appellants to file

fresh application before the competent Court, enclosing necessary documents, in which event, the same shall be decided, in accordance with law, uninfluenced by the findings given in the present O.P. The Paper publication given earlier, shall be taken into consideration, while deciding the O.P., which is now sought to be filed. No order as to costs.

Miscellaneous petitions, pending if any, shall stand closed.



C. PRAVEEN KUMAR, J

T. AMARNATH GOUD, J

Date: 23.03.2018

Note:

Issue CC in two days.

B/o.

vhb