

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

GUARDIANSHIP PETITION No. 11 of 2019

Radhakishan
S. Ladda

Digitally signed by
Radhakishan S.
Ladda
Date: 2019.09.27
18:45:36 +0530

Geraldine Spencer & Anr .. Petitioners.

Vs

Jerus Jacob D'mello & Anr .. Respondent.

Ms. Armaity S. Khushrushani & Ms. N.M. Almeida for the
petitioners.

Ms. Sarah Kapadia i/by Vesta Legal for the respondent.

CORAM : B. P. COLABAWALLA, J.

DATED :- 26th September, 2019.

P.C. :-

1. When this Guardianship Petition was called out,
the parties before me, namely the petitioners as well as the
respondent have filed consent terms.

2. I must mention, initially when this matter had
come up, the respondent had raised an issue as to whether
this Court would have jurisdiction to entertain the present
Guardianship Petition. The learned Advocate appearing on

behalf of the respondent has however stated before me that they are not raising any such issue any more and in view of the fact that they have agreed to settle the disputes in the Guardianship Petition by filing the Consent Terms and undertake that the issue of jurisdiction shall not be raised at any time in future to challenge these Consent Terms. The undertaking is accepted. It is in these circumstances that I have perused the Consent Terms.

3. These Consent Terms relate to the Guardianship of the person and property of the minor daughter **KATE**. The Consent Terms provide that the petitioner, namely, petitioner No.1 and petitioner No.2 shall have the legal guardianship of the person and property of the said minor along with her custody. The Consent Terms also provides several other terms. The Consent Terms have been duly signed by petitioner No.1, petitioner No.2 as well as the respondent. They have also been signed by their respective Advocates. All parties are before me and have stated that they have understood the contents of the Consent Terms and have signed them of their own free will. They also identify their respective signatures.

4. In these circumstances, the Consent Terms dated 26th September, 2019 are taken on record and marked “**X**” for identification. The Guardianship Petition is disposed of in terms of these Consent Terms.

(B.P. COLABAWALLA, J.)