

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.65 OF 2020
IN
GUARDIANSHIP PETITION NO.18 OF 2018**

Dharmendra A. Rolliya .. Applicant
And
Yashvi Dharmendra Rolliya & Anr. .. Respondents

Mr. Yuwraj Patil for the applicant.

**CORAM : A. K. MENON, J.
DATED : 30TH NOVEMBER, 2021.**

P.C. :

1. By this Notice of Motion, the applicant seeks restoration of the Guardianship Petition after condoning the delay. The affidavit in support of the Notice of Motion sets out certain reasons. The learned counsel for the applicant fairly admits of some delay in attending court and in filing the present application. However, considering that this is an application for appointment of guardian of a minor, one last opportunity can be granted.
2. It is also noticed that one of the minor child may have attained majority. The learned counsel for the applicant therefore states

that he will seek an appropriate amendment, if so required before proceeding with the petition.

3. In these circumstances, I pass the following order;

(i) Notice of Motion is made absolute in terms of prayer clauses (a) and (b).

(ii) Petition is restored to file. However, in the event the petitioner seeks any amendment, IA for amendment shall be filed on or before 6th December, 2021.

(iii) If amendment application is not filed by 6th December, 2021, this order shall stand vacated and the petition shall not be restored hereafter.

(iv) Notice of Motion is disposed in the above terms.

(A. K. MENON, J.)