

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
GENERAL AND INHERENT JURISDICTION

INDIAN GUARDIANSHIP PETITION NO.3 OF 2021

ALONG WITH
JUDGE'S ORDER NO.211 OF 2021

Mehboob Mastaan Shaikh

Tanveer Mahboob Shaikh

.. Petitioners

And

Mehrunnisa Valliulla Sayyad

.. Respondent

Abdul Hannan Shaikh

.. Minor

Mr. Rakesh K.L. Kapoor for the Petitioner.

Mr. O. Hareendran, Scrutiny Officer of ICSW, is present.

Mr. Dilip R. Talekar, Chamber Registrar, is present.

CORAM : A. K. MENON, J.

DATE : 23RD DECEMBER, 2021.

P.C. :

1. The petitioners have filed this petition seeking to be appointed as guardian of a minor male child, who has been with them since he was about one year old. The petitioners are residents of Mumbai and have been married for 24 years. They have no biological children and have looked after the minor in the circumstances set out in the petition. The child is today 16 years of age and was studying in Victoria High School, Mumbai at the time the petition was lodged. He is since stated to have joined Junior College and is being looked after by the petitioners.

2. Both the petitioners are self-employed, as set out in the petition. Their income documents have been placed on record. They have tenanted residential premises described in the petition. The petitioners have also disclosed that the maternal grand-mother of the minor is also a resident of Mumbai and has no objection if the minor being subjected to the guardianship of the petitioners since the biological mother has not been heard of for several years.

3. The petitioners, the minor and the grand-mother have appeared today and having interacted with them, I find that the minor has adapted well with the family of the petitioners. In the course of interactions, the minor has confirmed that he has enrolled for his B.A. Course in Rizvi College and is glad that the petitioners are being appointed as his guardians. The maternal grand-mother, i.e. the mother of the biological mother of the minor, has supported the proposal to appoint the petitioners as the guardians of the minor.

4. In view thereof, I pass the following order :-

- (i) The petition is allowed in terms of prayer clauses (a), (b) and (c).
- (ii) The petitioners shall invest a sum of Rs.2,00,000/- in the name of the minor child in lumpsum with the Accounts Officer, High Court, Bombay, who shall invest the same in

a fixed deposit of a nationalized bank initially for a period of one year, to be renewed from time to time till the minor attains 21 years of age.

- (iii) Judge's Order is signed separately.
- (iv) Petition is disposed in the above terms.

(A. K. MENON, J.)