



123..

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

WRIT PETITION NO. 1950 OF 2023

(Supriya w/o. Mayank Yadav...Vs.. Mayank s/o. Chandrashekhar Yadav)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. S. Ghatе, counsel for petitioner.

Mr. M. Rai, counsel for respondent.

CORAM : AVINASH G. GHAROTE, J.

DATE : 14-12-2023

Heard learned counsel Mr. Ghatе for the petitioner. The petition questions the order dated 23.2.2023, whereby the minor daughter Samira has been permitted to be added as the non-applicant 2 through her mother the non applicant 1. Learned counsel Mr. Ghatе submits that such a course of action was not permissible, as a minor, according to his contention, could not be added as non applicant in proceedings.

2. I am afraid, I am unable to agree with this proposition. What is necessary to be seen is that the proceedings before the court below are under the provisions of the Gardians and Wards Act for the custody of minor. In such proceedings, the presence of the minor would be necessary as the court will have to take into consideration various factors, considering the

welfare of the minor into account. It is therefore, necessary for passing an effective order that the minor is a party to the proceedings. I therefore, do not see any reason to interfere the impugned order. The petition therefore, dismissed. No costs.

[AVINASH G. GHAROTE, J]

Belkhede