



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

CIVIL APPLICATION (CAW) NO. 2813 OF 2024

IN

WRIT PETITION NO. 1089 OF 2024

KISAN S/O RAJARAM SINGANAPURE AND OTHERS

...VERSUS...

VITTHAL RUKHMAI DEOSTHAN KONDHALI , NAGPUR AND OTHERS

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

Court's or Judge's order

Shri S.S.Malode, Advocate for petitioners/applicants.

Shri G.H.Sharma, Advocate for respondent nos. 5, 8 to 14.

CORAM : SMT. M. S. JAWALKAR, J.

DATE : 15th APRIL, 2025

The present application is filed for appointment of guardian for respondent no. 4 - Deorao S/o. Vithobaji Balpande who is suffering from memory loss as per the Bailiff's report on the notice issued to the respondents in the present petition.

2. The learned counsel for the petitioners placed the copy of judgment in the case of **Gopaldas Dwarkadas Family Trust Estate, Trichí V/s. State of T.N.** reported in **1976 0 AIR(Mad) 337**, wherein the Madras High Court held that, "service on the managing trustee of a trust is sufficient for serving notice on the trust, and it is not essential to serve notice on each trustee individually.

3. In view of this judgment, the learned counsel for the petitioners submits that, he may be exempted from service to respondent no. 4. As such, the application is **allowed**.

4. The petitioners are exempted from serving to respondent no. 4 in view of the legal position as made it clear by the Madras High Court.

5. Accordingly, the application stands **disposed of**.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar