

Decided on 24.09.2013 Vs. General Public

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Court : Punjab and Haryana

Decided On : Sep-24-2013

Appellant : Decided on 24.09.2013

Respondent : General Public

Judgement :

FAO No.1358 OF20061 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH FAO No.1358 OF 2006 DECIDED ON2409.2013 Manohar Singh Appellant versus General Public Respondent CORAM HON'BLE Mr.JUSTICE S.S.SARON HON'BLE Mr.JUSTICE S.P.BANGARH Present:- None.

S.S.SARON,J The appeal has been filed by Manohar Singh appellant against the judgment and order dated 15.10.2005, passed by the learned Guardian Judge, Ferozepur, whereby, his application for declaring him as guardian of the minor Vaishali has been dismissed.

The appellant filed an application for declaration in respect of guardianship of the minor namely Vaishali stated to be the adopted daughter of his sister namely Sharan Kaur daughter of Soma Singh.

The appellant submitted that he was liable to be declared as guardian of Vaishali in respect of her person and property.

It was alleged that Vaishali was adopted Mamta 2013.09.26 13:44 I attest to the accuracy and integrity of this document Chandigarh FAO No.1358 OF20062 by

Sharan Kaur, who was the sister of the appellant.

Vaishali was stated to be nine years and eight months of age at the time of filing the petition, which was filed on 21.10.2004.

The minor was to get family pension in respect of her adopted mother namely Sharan Kaur, who had remained unmarried during her life time.

Sharan Kaur retired as a Giani Teacher from the Government Primary School Hussainiwala Workshop, Tehsil and District Ferozepur on 30.06.2000.

Sharan Kaur was getting pension since her retirement from 01.07.2000 onwards.

The appellant claimed that he was the matrimonial uncle of Vaishali and was the nearest relation.

Sharan Kaur died on 26.10.2001 and the minor was entitled to family pension for the services rendered by her mother Sharan Kaur.

Therefore, he claims that he was liable to be declared as guardian in respect of person and property of minor.

Notice of the application was given to the General Public (respondent) by way of publication in the newspaper 'Chardi Kalan' but no one appeared for the General Public.

It may be noticed that at the time of filing the petition, which was filed on 21.10.2004, the minor Vaishali was stated to be nine years and eight months of age.

Therefore, at present, she has attained the age of 18 years. As such the question of appointing her guardian no longer survives as she has attained the age of majority.

In the circumstances, the present appeal has been Mamta 2013.09.26 13:44 I attest to the accuracy and integrity of this document Chandigarh FAO No.1358 OF20063 FAO No.1358 OF2006-3- rendered infructuous and is, accordingly,

dismissed as such.

(S.S.SARON) JUDGE (S.P.BANGARH) 24.09.2013 JUDGE mamta Mamta
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