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**IN THE COURT OF 5TH ADDITIONAL DISTRICT JUDGE,
ANJAR – KACHCHH.**

Civil Miscellaneous Application No.71/2022

Jatu @ Jetuben Sakra Rabari,

Age 40 years, Occu. : Agriculture & Household,

R/o. Vill : Lakhapar, Tal : Anjar-Kachchh.

.....Applicant.

Appearance:

Mr. P. R. Prajapati, learned Advocate for the applicant.

**Subject : Application of natural guardian mother to appoint as a legal
guardian of person and property of the minors.**

J U D G M E N T

01. Applicant Jatu @ Jetuben widow of Sakra Palabhai Rabari applied as a natural guardian mother and legal guardian of minor daughters [1] Ankita, [2] Ekta and minor son [3] Ashwin being her children to appoint her as guardian of her minor children. Her husband Sakra Palabhai Rabari expired on 21/10/2018 devised by his death certificate. Deceased Sakra Palabhai Rabari is having agricultural land [1] of revenue survey No.404 Paiki 1 ad measuring 12444 sq. meters and [2] of revenue survey No.405 Paiki 2 land ad measuring 11837 sq. meters. These two lands are inherited by jointly under succession entry made in revenue records and Village Form No.8-A and 7/12 are produced along with this application vide Mark 3/1 to 3/4 and sale-deed of both the lands purchased by her deceased husband is also produced along with this application. Applicant and her 3

children have inherited both the lands of revenue survey No.404 Paiki 1 and 405 Paiki 2 at Vill : Tappar of Taluka Anjar.

02. It is alleged that she is living her life as a widow and to maintain her 3 children she has specific economic requirement. So, she wants to dispose off both these suit lands. She is residing at Vill : Lakhapar of Taluka Anjar. I have gone through the revenue record of both the lands in question and the sale-deed of the land purchased by deceased Sakra Palabhai Rabari. Applicant Jatu @ Jetuben Sakra Rabari submitted her affidavit in support of her application. In her application she mentions that for the welfare of her children and due to better maintenance of her children she wants to sell-out the land as guardian of her minor children who also inherits the lands of their father. So, in the best interest and legal necessity she may be permitted to sell-out the land as guardian.

03. She is Class-I heir and any other Class-I heir is alive she can dispose off the land inherited by her and her children who are minors. Considering the affidavit and the application she is in need to bring up her children and she is in need to sell out the land of her deceased husband. In view of above circumstances, applicant is hereby appointed as guardian and is directed to sell-out the lands of her husband as mentioned in this application.

Issue certificate of guardianship with permission to sell the property mentioned in this application.

Order pronounced in Open Court today.

(P. S. Joshi)

DATE : 17/04/2023

PLACE : ANJAR.

5Th ADDITIONAL DISTRICT JUDGE,

ANJAR-KACHCHH

UI Code No.GJ00325