

**Misc. (Guardianship) Case No.10/2018.**

28.02.2020.

The Petitioner, Sri Paniram Kalita is present along with his learned advocate.

The notices have been returned back after service. But, no one has turned up before the Court.

The Petitioner and his son, Sri Jyotishman Kalita and daughter, Smti Jigyasha Kalita have submitted their evidence-in-affidavit.

Heard the learned advocate for the Petitioner.

Perused the case record.

This is an application u/s 6 of the Hindu Minority and Guardianship Act, 1956 filed by the Petitioner, Sri Paniram Kalita praying for appointing him as the legal guardian of his minor daughter, Smti Jigyasha Kalita.

In the petition, the Petitioner has stated that the minor, Smti Jigyasha Kalita is his daughter, who is aged about 17 years. Lt. Lily Bhuyan Kaliita was his wife, who expired on 29.10.2016. The minor, Smti Jigyasha Kalita is residing with her father, the petitioner and her elder brother, Sri Jyotishman Kalita. The Petitioner being the father of the minor has been taking proper care of his minor daughter. The Petitioner prays

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to appoint him as the legal guardian of his minor daughter, Smti Jigyasha Kalita.

Perused the evidence submitted by the Petitioner and two witnesses, Sri Jyotishman Kalita and Smti Jigyasha Kalita in affidavit. Their evidence depicts that Ext.1 is the Identity Card of Smti Jigyasha Kalita and Ext.3 is the Next of Kin certificate.

From the case record as well as evidence of the Petitioner and his witnesses, it is found that the minor, Smti Jigyasha Kalita is the Petitioner's daughter. It is also found that the minor is residing with her father.

From the copy of the Death Certificate and the Next of Kin Certificate of Lt. Lily Bhuyan Kalita, it appears that Lily Bhuyan Kalita, the minor's mother passed away on 29.10.2016. The Petitioner has been taking proper care of the minor.

From the copy of the Birth Certificate of the minor, Smti Jigyasha Kalita, it appears that the minor was born on 30.09.2001, and as on today, she is a minor.

The minor is present before this court and on being asked she has stated that she has been staying with her father, Petitioner, and he has been taking proper care of her. The minor has no objection if the Petitioner, who is her father is appointed as her legal guardian. There is nothing against the Petitioner for not appointing him as the legal guardian of his daughter, the minor Smti Jigyasha Kalita.

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So, I find it a fit case to appoint the Petitioner, Sri Paniram Kalita as the legal guardian of the minor, Smti Jigyasha Kalita. Hence, the petition is allowed.

The Petitioner is appointed as the legal guardian of the minor, Smti Jigyasha Kalita.

Issue Guardianship Certificate, accordingly.

The Misc. case stands disposed of.

District Judge,  
Lakhimpur, N.L.