

Misc. (Guardianship) Case No.4/2019

29/02/2020

This case is initiated under Section 10 of the Guardian and Wards Act VIII of 1890 filed by Smti. Amiya Hazarika to be appointed as guardian of the minors, Smti. Lipika Hazarika, Smti. Himashree Hazarika and Sri Parash Jyoti Hazarika.

The petitioner and the minors are present today.

The minors have been brought up by the petitioner after the demise of their parents. The petitioner is a 56 year old woman, who makes every endeavor for the utmost welfare of her grandchildren. The petitioner maintains her grandchildren with the help of the pension of her deceased son, father of the minor children who died on 07/03/2018.

Notices were issued to the necessary parties, which were returned after service.

The petitioner has submitted her evidence through affidavit and she is present personally.

I have heard the submission of the petitioner and the minor children.

The petitioner's son Mukul Hazarika died on 07/03/2018 and her daughter-in-law died on 28/06/2017. It appears from the evidence and from the submission of the petitioner and the minor children who are present today that the petitioner has made every endeavor to provide proper education and shelter to her grandchildren.

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There is no impediments to appoint the petitioner as the guardian of the minors.

No prayer has been made by the petitioner in any other Court.

Ext.1 is the Death Certificate of Mukul Hazarika, Ext.2 is the Next of Kin Certificate issued by the Office of the Deputy Commissioner, Lakhimpur, Ext.3 is the Death Certificate of Debajani Hazarika, Ext.4 is the Birth Certificate of Smti. Lipika Hazarika, Ext.5 is the Certificate issued by the local Gaonburah and Ext.6 is the Birth Certificate of Sri Parash Jyoti Hazarika.

After considering petition, evidence and submissions of the petitioner and her grandchildren, petition is allowed.

The prayer of the petitioner to appoint her as the guardian is allowed and the petitioner is appointed as the guardian of Smti. Lipika Hazarika, Smti. Himashree Hazarika and Sri Parash Jyoti Hazarika.

Issue a guardianship certificate.

The Misc. case is disposed of.

District Judge,
Lakhimpur, North Lakhimpur.