## Karnataka High Court

Master Zubaib Khan vs Nil on 27 March, 2008 Author: Manjula Chellur Swamy IN tuna: HIGH coumr or KARNATAKAHQKT V' :t:.!: n mus 1-an 27"'/;I5)1ir'\*or'-«Mh.;aai?i" »:¢109fi7= rm: 1io1~1'BI.1f"M1z; s"mm--"ar uxscznxgrgfimpusgiiircslg: .; §; ss1; §::. §\I.v'-u{.§'.I'»'é.oo7/zoos (G a w) BE'.l'P¢5;3'w'a.'§" \*';f: . ~.'. \* ' I ' 1. INSED ...w'-'=-:f.~'-::!1- 1'3':-més 2 -MKSTEE Ac-mu-,1uaou':;=-. 9 "'mAI%s,\_ ' ;"B $01{I--I Am \_soNs or}$ %.j"<I.1aL1'E \_ APPE'E»Iu'i;~1TS 1 mm 2 ..,3m1'm.=.\*«mNoRs 1- %=fu1=;%;~:.19'T~ .9123 135:1: m '-«Mort-113:2 GUARDIAN arm a :\_u.\_I.m.u-a aux-r nri-rminn nnnrnk BE'\J'\lU£ :5. Ei"vJS':€3'; ah-.s.=.u-..: " ~ with mere. mnmum KHAN ':41 strains 11.1. has Rmsxnma A1' 208/ 1 NEHRU PURAM SHIVAJI NAGAR BANGALORE ...hPPEIaIJ|N'.l.'S (By Sr1.M L GOWDA G ASSOCIATES, Adva.) mm. '.""';.;1é'?E's;ioi~InsVN'.'§" -raxs ...a IS !'I.\_.l\_!D t\_i:ap:aA'snc&:AbN., 47.:''ei:5'l'u\_:Hm '' J

GUARDIAN a mans A2T..\_\_AGhI1§S1' an evpeoannn; DATED 25-1-2663 sassan Ir:  $z\sim:c.>.2.!,,5o'\in.17!-2:307$ " 015 mm £11.: or me IV' anon. ,'=\_c: $\in$ \_!nr c:vIL' map smssxons

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pnopmz COURT.
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1-3:5 may - - cHmLmR, H.i J, nmnxvmnmn me
roLLo13a:2m : = *
' ' ' ' H ' V '
~. arises out of an order
reje:;tl:Lr_1gV"' iflaapplieation filed by the
-\{;.\sim,-..\sim,\sim,,\sim,,\sim,-.:e;:.l.-. m;!.ne.1:a 1.1-.de: :~ .'3 eo.9 and 29 of the
and W'rds '-t, 1899., aeeking
to sell the property of the minors.
p two minors who are aged 12 and 8 as
" * oh the date of the application approached
' t - ou.gh their mother to sell their property on
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un g -e\* u. that ...he prepe:\_y la eltuated in a 'enjoyed by the minors in a ray. théjsi property so that money to purchase; an Viiairternatiirif "prjo'\*'??rty which would be more ate learned Judge "the merits e□.he case based an sec.7¢::¢g; of the Family ('1', r E} In it sion that after the estah1.+ish□\$ent Court in B..nga1o\_e Urban. TAB:-.vstri%ct.v:,'.'\_the\_--- family court alone had juri.sdiet1on'A'- of the proceedings r"e1..ating.\_\_\_to" the vguardianship of a person. \*pntoTws%i1\* application being one for permission Jul: 4-.

DISC property or the minors, has nc\_§'th-:L«ng to do with the appointment at'. .213! ene as in it particular, the mother as guardian of V' minors .

 $\I \sec'(7(1))$  (g) of the Family Court reads as under:

permission '.-}1feJu.d1"A' " The suits or proeeedings referred to in this sub section are suits and prooee□ngs\*o£ig the following nature

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Master Zubaib Khan vs Nii on 27 March, 2008
(a)m.
Cb)m.
{c)m.
(d)m.
la\ "-I7' uni a
(f)m
(g) a suit or proeeedin □ in relationship to the Quarnianshi □ pf the person or the cnsto¢fgo£"orKaocess to, any minor." '"4;s§\$ee§t~the-a□yointment of guardian of a mifor andvfneese to a minor i.e., Visitati-n R1_ghts°<.of to visit a minor, the v§fogee¢inos"in~relation to property of a minor '*:nnder"the=Quardian of Wards Ant, remains with ijthe eonrt having jurisdiction to entertain the matter as c_ntem9iated under sec.9 of the V',_éuardian & Warns 'at 1896" rieqerds .
5. It is also pertinent to fehat ' _:n_ um-rvu . irlrna in -I"}'1n vim!-J I-Illnimgvuuv luv -II-n all-In I 3: entertained a similar rnatterjj, t§z':i,iii1caui:''zjai.:aeing"' the question o jur1§d1etj;.en. mags:-o;n.=;re the orders of the 1earne&V"V;□4dge"-de□ed 3251-2008 deserved to
6. is allowed.
set aside. The 3\$~ac}:V- the court concerned ment'n's'V c'ia'1:':e of "eée pt éf