**PETITION FOR PERMISSION TO SELL MINOR'S PROPERTY UNDER THE GUARDIANS AND WARDS ACT**

Act VIII of 1890 Case No. .

In the Court of the District Judge ...............................................at………………………….....................

In the matter of the Guardians and Wards Act VIII of 1890

And

In the matter of s. 29 of the said Act And

In the matter of ,,,……………………….,,,,,,,,,,,,,,,,,,,,,, a minor resident at....................................

And

In the matter of permission to sell the said minor's property.

The   humble   petition   of A,   the certified guardian of the said minor .

The applicant above-named states as follows:

1. That by an order made the ............ day of................... your petitioner was selected guardian of the person and properties of the minor A, which order is still enforceable and petitioner is governing the property of the said minor as his mandatory guardian. petitioner has kept proper account of said property up to date and presented the same in court from by which it is clear that funds in the hands of petitioner is Rs......................... only.

2. That at the time of appointment the property of minor which having of inter alia one-fourth share in premises No........................................ was indebted to one B of No. ……………............. to the tune of

Rs……………… ......... being, his divided share of liability under a mortgage dated ............................. executed by the father of minor which now comes to Rs............................ including interest calculated up till................................

3. That the said B who filed a suit bearing Title Suit No. ………………………………......... of …………………….......... in the court of ................................................................. for enforcing  said mortgage and got the preliminary decree for Rs................................... on the .............. day of…………………........ is now threatening in applying for final decree for vending of property.

4. That in above stated circumstances and in the best interest /benefit of the said minor, petitioner and other co-sharers of said minor, liable paying three-fourths share of the said debt, have consented to sell the property for Rs. ..................... privately, leaving a margin Rs. …………….......... with them after paying the mortgage debt out of which a sum of Rs. ……………............ will come in the hands of petitioner being the proportionate share of the said minor in the surplus sale proceeds. An affidavit by the purchaser of intending property Rs. ............................... is filed herewith.

5. That residential house of said minor, i.e., premises No............................ is in immediate repairs without repair the same will be unfit for habitation and until certain urgent repairs are immediate carried on a portion also fall very soon. The likely costs of such repairs are Rs. …………......... as will appear from certificate of the engineer hereunto unclosed and marked Z. The minor having no money to execute the said repairs presently as appearing from the account filed as stated above.

6. That the market value of the property desired to be sold would be Rs......................... as given in the valuation certificate annexed and marked B, and the same at present gives no income.

7. That this application is made bona fide with interest of and benefit of minor.

Petitioner hence prays:

(i) Leave be granted to your petitioner to sell the undivided one-fourth share of the minor in the property described in Schedule A to .........or any other person or persons at a price not less than Rs……………............. and to execute and register the compulsory conveyance.

(ii) Your petitioner be at liberty to redeem the proportionate mortgage debt of the minor relating the said premises out of the proceeds of such sale and apply the balance towards the costs of repairs to the residential house of the said minor.

(iii) Further order or orders be made and directions given, as may appear just and proper and your petitioner as in duty bound shall ever pray.

THE SCHEDULE

**Verification**

I, ………………………………………….…….., son of........................................................... aged about ............ years residing at ……………………………………………………………………………………………………………………………………........ by occupation service do hereby solemnly affirm and say as follows:

I am the petitioner above-named. I know and I have made myself acquainted with the facts and circumstances of this case and I am able to depose thereto.

The statements in paragraphs 1 to 7 and the Schedule hereinabove of the petition are true to my best knowledge based on information derived from records in my possession, proceedings before this Learned Court. Orders and Valuation Report and believed by me to be true and that I have not suppressed any material fact.

The statements hereinabove are true to my best knowledge.

I sign this verification on this ............ day of............ 20…...

Signature ……

Signature of Advocate

Before me Notary

N.B.  There shall be two affidavits from two independent persons as to what is the estimated value of the property and advantage/benefit of desired sale.

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Case No. …………………………………………………………………….………..

In the Court of the District Judge ........................................at.......................

 In the matter of the Guardians and Wards Act VIII of 1890 And In the matter of s. 29 of the said Act

And In the matter of ………………………….………., a minor resident at............................................... And In the matter of permission to sell the said minor's property.

 The   humble   petition   of A,   the certified guardian of the said minor . The applicant above-named states as follows:

 1. That by an order made the ............ day of................... your petitioner was selected guardian of the person and properties of the minor A, which order is still enforceable and petitioner is governing the property of the said minor as his mandatory guardian. petitioner has kept proper account of said property up to date and presented the same in court from by which it is clear that funds in the hands of petitioner is Rs......................... only.

 2. That at the time of appointment the property of minor which having of inter alia one-fourth share in premises No....... was indebted to one B of No. ……………............ to the tune of Rs. …………......... being, his divided share of liability under a mortgage dated ......................... executed by the father of minor which now comes to Rs......................... including interest calculated up till.......

 3. That the said B who filed a suit bearing Title Suit No. ................................. of ……………......... in the court of …………………........... for enforcing  said mortgage and got the preliminary decree for Rs................. on the ......... day of......... is now threatening in applying for final decree for vending of property.

 4. That in above stated circumstances and in the best interest /benefit of the said minor, petitioner and other co-sharers of said minor, liable paying three-fourths share of the said debt, have consented to sell the property for Rs. ..................... privately, leaving a margin Rs. ......... with them after paying the mortgage debt out of which a sum of Rs. ............ will come in the hands of petitioner being the proportionate share of the said minor in the surplus sale proceeds. An affidavit by the purchaser of intending property Rs. ......... is filed herewith.

 5. That residential house of said minor, i.e., premises No……………......... is in immediate repairs without repair the same will be unfit for habitation and until certain urgent repairs are immediate carried on a portion also fall very soon. The likely costs of such repairs are Rs. …………....... as will appear from certificate of the engineer hereunto unclosed and marked Z. The minor having no money to execute the said repairs presently as appearing from the account filed as stated above.

 6. That the market value of the property desired to be sold would be Rs...................... as given in the valuation certificate annexed and marked B, and the same at present gives no income.

 7. That this application is made bona fide with interest of and benefit of minor. Petitioner hence prays: (i) Leave be granted to your petitioner to sell the undivided one-fourth share of the minor in the property described in Schedule A to ........... or any other person or persons at a price not less than Rs…………............ and to execute and register the compulsory conveyance. (ii) Your petitioner be at liberty to redeem the proportionate mortgage debt of the minor relating the said premises out of the proceeds of such sale and apply the balance towards the costs of repairs to the residential house of the said minor. (iii) Further order or orders be made and directions given, as may appear just and proper and your petitioner as in duty bound shall ever pray. THE SCHEDULE Verification I, AB, son of......... aged about ............ years residing at ............................................................................................. by occupation service do hereby solemnly affirm and say as follows: I am the petitioner above-named. I know and I have made myself acquainted with the facts and circumstances of this case and I am able to depose thereto. The statements in paragraphs 1 to 7 and the Schedule hereinabove of the petition are true to my best knowledge based on information derived from records in my possession, proceedings before this Learned Court. Orders and Valuation Report and believed by me to be true and that I have not suppressed any material fact. The statements hereinabove are true to my best knowledge. I sign this verification on this ............ day of............ 1999. Signature …… Signature of Advocate Before me Notary

N.B.  There shall be two affidavits from two independent persons as to what is the estimated value of the property and advantage/benefit of desiredsale.

**PETITION FOR REMOVAL OF GUARDIAN**

In the Court of the District Judge, \_\_\_\_\_\_\_\_\_.

Misc. Application No. \_\_\_\_\_\_\_\_\_ of 20 \_\_\_\_\_\_\_\_\_

In Civil Miscellaneous Petition No. \_\_\_\_\_\_\_\_\_ of 20 \_\_\_\_\_\_.

In the matter of \_\_\_\_\_\_\_\_\_

minor aged \_\_\_\_\_\_\_\_\_ son of \_\_\_\_\_\_\_\_\_ resident of \_\_\_\_\_\_\_\_\_

……………………………..……Guardian

,,,,,,,,,,,,,,,,, \_\_\_\_\_\_\_\_\_. Applicant.

Application under Section 39, Guardians and Wards Act.

The applicant abovenamed humbly submits—

1. That ………………………………..………... abovenamed was appointed guardian of the person and property of the abovenamed minor by an order of this Court dated \_\_\_\_\_\_\_\_\_\_\_\_\_ in this case.

2. That the said ……………………………………………. has not been keeping good health ever since he was appointed guardian of the minor.

3. That on account of his ill health the said ……………………………..………….. is incapable of performing the duties of his trust and has continuously failed to discharge his duties.

4. That it is in the interests of justice that the said ……………………..……….. be removed from the office of guardian of the minor and some other suitable person be appointed guardian in his place.

It is, therefore, prayed that …………………….……………. appointed guardian of the minor by this Court be removed and in his place some other suitable person be appointed guardian of the minor and of his property.

Dated \_\_\_\_\_\_\_\_\_

…………………..

……………………Applicant**.**