

**IN THE COURT OF PRINCIPAL DISTRICT JUDGE
(POWER OF DISRICT JUDGE UNDER GUARDIAN AND WARDS ACT)
GANDERBAL**

Present : **Raja Shujat Ali Khan**

CASE NO 16 / Meem

DATED : 17/05/2017

Ab Rehim Shah S/o Ghulam Mohmmad Shah
R/o Check Yangoora Ganderbal
(Petitioner)

VS

1. Bashir Ahmad Baht S/o Ali Mohmmad Bhat
R/o Reproa lar Ganderbal
2. Public at Large

(Respondent)

Appearing Counsel: For Petitioner(s) : Mr Umer Rashid
For Respondent(s)

ORDER

Ld. Counsel for the petitioner present. The petitioner as being declared by this court guardian of the minors namely (1) Tahir Ahmad Bhat (11yesrs) (2) Suhail Ahmad Bhat (10yesrs) (3) Shakir Ahmad Bhat (5 years) sons of Late Manzoor Ahmad Bhat S/o Ali Mohammad Bhat residents of Check Yangoora Ganderbal , has sought permission for sale of the land of the wards for purchase of house for them. However thereafter he came with a subsequent application submitting therein that the land for which he was seeking permission for sale for the purchase of the residential hose for the wards has become infractious as the said land has been notified by the Government for the construction of the link road and acquisition proceedings have been started. He seeks that this court of Guardian shall direct the concerned collector to release the compensation amount in favour of the petitioner being guardian of the minors.

(6)

17/5/17

I have heard Id counsel for the petitioner for a while and also heard the petitioner himself .The record placed on the file suggests that in terms of this court order dated 28/07/2015 present petitioner sh Abdul Rehim Shah has been appointed as guardian for the person and properties of the minors namely (1) Tahir Ahmad Bhat (2) Suhail Ahmad Bhat (3) Shakir Ahmad Bhat sons of Late Manzoor Ahmad Bhat residents of Check Yangoora Ganderbal . Thereafter present petitioner approached this court on 2/2/2016 seeking permission to sell the piece of land measuring 9.5 marlas under Khasara No 303 of Mouza Repoorra which is in the name of the minors stating therein that he want to sell the same and purchase a house for the wards. However later on 4/5/23017 he came with further motion that said land has been notified by the District Collector Ganderbal for the construction of the ring Road and process for acquiring the said land has been started. He seeks that the compensation of the said land be paid to the guardian of the minor so that he could purchase a house for the minors.

(7)

In view of this unless court is not satisfied how much compensation amount has been sanctioned by the Government for the said land and whether this amount is going to be rightly used for the welfare of the children , no blank order can be passed which would not be in the interest of the wards. In over all facts and circumstances of the matter, it would be advisable to deposit the compensation amount of the said land as per the norms of the government in the name of the wards putting the petitioner at liberty to approach this court for release of the same . Accordingly the District collector is directed to deposit

12/8/17

of compensation with regard to the land measuring 9.5 marlas falling under kabsra No 303 Mouza Reproa in the name of the minors in some scheduled bank under some profitable scheme, through the petitioner being their appointed guardian. The petition stands disposed of and be consigned to records.

Announced

17/05/2017

(Principal)
District & Sessions Judge
Ganderbal

(07)