

**IN THE COURT OF CIVIL JUDGE (SR. DIV.), KAHALGAON,
BHAGALPUR**

Present – (Amit Kumar Sharma)

T.S. NO.- 34/2018

Sikandar Mandal & others.....Plaintiffs

Vs.

Budhiya Devi & others.....Defendants

25.05.2023

Attendances have been filed on behalf of plaintiff and defendant No. 1 and 2. A petition has also been filed on behalf of plaintiff U/s 151 of CPC. Copy of petition has been given to the opposite party. On call, Ld. Counsel of both the parties appeared before this court. They were heard on petition dated 25.05.2023 and 21.01.2023 and rejoinder dated 24.03.2023.

The matter, in brief, is that the plaintiff filed a petition stating therein that defendant No. 5 to 8 are minor. The natural guardian of these defendants have died. Defendant No. 1 and 2 are the grand-mother and maternal uncle of the minor defendants, therefore, they may be made guardian of the minor defendant. It has further been stated that defendant No. 3 and 4 are minor aunts (Mausi) of these minor.

This petition of plaintiff was objected by defendant and they refused to become the guardian of these minors, therefore, plaintiff has filed this petition stating therein that a report may be called for from the President, Nagar Panchayat, Kahalgaon.

After hearing both the parties and on perusal of the record, this court finds that it would be in the interests of justice to call for a report on following points :-- (i) Minor defendants Anuj Mandal, Kajal Kumari, Priyanka Kumari, Priya Kumari, all son and daughters of Late Shyam Mandal (father) and Mainu Devi (mother), are residing with which person (ii) where these minors are residing, with whom they are residing, and under whose custody and guardianship they are residing ?

The President namely Sanjiv Kumar and Ward Member namely Sanoj Kumar Choudhary are directed to submit a report within 10 days of receiving copy of this order.

Plaintiff is directed to file requisites for sending the copy of this order to the concerned person.

O/c is directed to sent a copy of this order along with the copy of the petition to the above mentioned persons.

The petition of plaintiff is allowed accordingly.

The case if fixed on 30.06.2023 for compliance of this order and for appearance.

Sd/-

(Amit Kumar Sharma)
Civil Judge(Sr. Div.)
Kahalgaon