

RAGHAV SINGHAL Vs. KAVITA SINGHAL AND ORS.

03.10.2023

Present: Sh. Om Kar, Ld. Counsel for the plaintiff.

Sh. Rohit Kumar, Ld. Counsel for the defendants No.5 to 8 who has filed on record written statement on behalf of the defendants No.5 to 8 alongwith an application u/o XXXII Rule 15 CPC for appointment of Guardian / next friend for defendant No.8. Copies thereof have been supplied to the ld. Counsel for the plaintiff today in the court.

I have heard the ld. Counsel for the plaintiff on application u/o XXXII Rule 15 CPC.

Ld. Counsel for the defendant No.5 states that Master Kanha Singhal, defendant No.8 who is aged about 11 years old. His father has already expired. He lives under the custody and care of his mother who is defendant No.5. She does not have any adverse interest against the minor defendant No.8 and it will be interest to appoint defendant No.5 as Guardian / next friend of the defendant No.8 to defend the present suit.

Ld. Counsel for the plaintiff has no objection if the application is allowed, as prayed for.

Resultantly, the application u/o XXXII Rule 15 CPC is allowed. Defendant No.5 is appointed as Guardian / next friend of the defendant No.8 to defend the present suit.

Application u/o XXXII Rule 15 CPC stands disposed off accordingly.

As per report of the Assistant Ahlmad dated 26.09.2023,

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defendants No.1, 3, 5 to 8 have been served. Summons on defendants No.2 and 4 have been received back unserved with report ‘ defendants No.2 & 4 are not residing at the given address’.

Issue fresh summons to defendants No.2 & 4 on filing of PF/RC at fresh address, if any to be filed by the plaintiff of the defendants No.2 & 4 for the next date.

At the request of the ld. Counsel for the plaintiff, now, to come up on 15.01.2024.

(Vikram Bali)
ADJ-02/ North/ Rohini Court
Delhi/03.10.2023