

05-06-2026:

ORDER ON I.A.No.I

The applicant/ plaintiff has filed I.A.No.I U/o.XXXII Rule 3 R/w Section 151 of CPC praying the Court to appoint the defendant No.4 who is the natural father as guardian of minor defendant No.5.

In the accompanying affidavit filed in support of the IA, plaintiff has stated that she has filed the present suit for partition and separate possession in respect of the suit properties. It is further states that in the present case the defendant No.5 being the minor and she has under the care and custody of defendant No.4, the defendant No.4 is the natural father of minor i.e., defendant No.5. Hence, the defendant No.4 who is the natural father is to be appointed as guardian of said minor, defendant No.5. Therefore, it is necessary to appoint the defendant No.4 who is the natural father as guardian of minor, defendant No.5. Hence, he prayed to allow the IA.

The defendants have not filed any objection to IA No.1.

On perusal of the affidavit evidence and plaint, it is found that the defendant No.5 is the minor and to take care of minor interest, the guardian is necessary. Hence, the defendant No.4 who is the natural father of minor, defendant No.5 is appointed as guardian of said minor. So under the circumstances, I feel that the grounds made out in the application are believable. Therefore, the defendant No.4 being natural father of minor, defendant No.5 is a fit man to act as guardian to safeguard the interest of said minor under his care and custody in this case. So, I proceed to pass the following:

ORDER

I.A.No.1 filed U/o. XXXII Rule 3
R/w Section 151 of C.P.C., by the
applicant/ plaintiff is hereby allowed.

The defendant No.4 who is the
natural father of minor, defendant

No.5 is appointed as natural guardian of minor defendant No.5 for the purpose of this suit.

Issue SS to the defendants returnable by 10-07-2026.

Sr. Civil Judge, Bailhongal