

06-11-2025:

ORDER ON IA NO.VII

The plaintiffs have filed the present application under Order XXXII Rule 3 of CPC, praying to appoint Shri. D.Y. Garagad, advocate, as *guardian ad-litem* for minor defendant Nos.2(d) to 2(f).

In the accompanying affidavit filed by plaintiff No.2 in support of the application, it is stated that the plaintiffs have instituted a present suit for partition and separate possession, and that the defendant Nos.2(d) to 2(f) are minors. Their mother, Smt. Shaila W/o Shivappa Toragal had been earlier appointed as guardian for said minors, but she has remained absent despite due service summons. Therefore, it has become necessary to appoint an independent *guardian ad-litem* to represent the interests of the said minor defendants. Hence, the present application.

The defendant No.2(a) and 2(b) who have appear before the Court, have not filed any

objection to this application, inspite of sufficient opportunity.

Heard learned counsel for the plaintiffs. During the course of arguments Shir. D.Y. Garagad advocate, who was present before the Court, as expressed is willingness to act *guardian ad-litem* for the minor defendant Nos.2(d) to 2(f).

On perusal of the material on record, and in view of the willingness expressed by D.Y. Garagad advocate, this Court of the opinion that when appointment as *guardian ad-litem* would be proper to safeguard the interest of the minor defendant Nos.2(d) to 2(f). Hence this Court deems it fit to pass the following:

ORDER

The IA No.7 filed under Order XXXII Rule 3 of CPC is hereby allowed.

Shri. D.Y. Garagad advocate,
is appointed as *guardian ad-litem*

for the minor defendant Nos.2(d)
to 2(f) to represent them in the
present suit.

Office to make necessary
entries accordingly.

*(Dictated to the stenographer, transcribed by him, revised,
corrected, and signed by me, then pronounced in the open court
on this day of 6th November 2025)*

Senior Civil Judge, Bailhongal.