

ORDER ON I.A.No.I

The plaintiffs have filed I.A.No.I U/o. 32 Rule 3(a) of CPC praying to appoint the defendant No.2 who is the natural father as guardian of minor defendant No. 4 and 5. and to appoint defendant No.7 who is the natural mother as guardian of minor defendant No.8.

I.A.No.I is accompanied with an affidavit. Wherein the plaintiff No.1 Smt. Ratnavva W/o Nagayya Hiremath sworn to the fact that plaintiffs have filed the suit for declaration, partition and separate possession against the defendants. In the present suit defendant No.4 and 5 are the minors. Therefore it is necessary to appoint the defendant No.2 who is the natural father as guardian of minor defendant No.4 and 5 and further to appoint the defendant No.7 who is the

natural mother as guardian of minor defendant No.8 to take care of their. If this application is allowed he will not be cause any loss or hardship. Hence prayed to allow the IA.

The defendants have not filed any objection to IA.

Heard and perused.

On perusal of the affidavit evidence and plaint, it is found the defendant No.4 and 5 are the minors. Therefore it is necessary to appoint the defendant No.2 who is the natural father as guardian of minor defendant No.4 and 5 and further to appoint the defendant No.7 who is the natural mother as guardian of minor defendant No.8. So under the circumstances, I feel that the grounds made out in the application are believable. Therefore defendant No.2 being natural father of defendant No.4 and 5 and defendant No.7 being natural mother of defendant No.8 are fit persons to act as guardians to safeguard the interest of

minor defendants under their care and custody in this case. Hence the following:

ORDER

The application filed by the plaintiffs i.e., I.A.No.1 U/o. 32 Rule 1 (a) of CPC is hereby allowed.

The defendant No.2 who is the natural father of defendant No.4 and 5 and defendant No.7 who is the natural mother of defendant No.8 are appointed as natural guardians of minor defendant Nos.4 and 5 and defendant No.8 respectively for the purposes of this suit.

Senior Civil Judge, Bailhongal.