

Order on IA-II filed U/o 3 Rule 1 and 2 of CPC by the Plaintiff

1. This is an interlocutory application No II filed by the applicant seeking for appointing the applicant as power of attorney holder and permit the applicant to prosecute the case on behalf of plaintiff as power of attorney holder in the present suit.

2. The application is accompanied with an affidavit sworn by the applicant stating that the plaintiff is unable to appear before the court due to is ill health . It is stated that the applicant be appointed as power of attorney holder of plaintiff.

3. Heard arguments of learned counsel for the plaintiff.

(a) The suit is for the relief of declaration of ownership and permanent injunction. It is stated by the plaintiff that the plaintiff is unable to appear before the court. The provisions of Order III Rule 1 of CPC provides for

appointing the person as power of attorney holder and permit the person to prosecute the case on behalf of plaintiff as power of attorney holder in the present suit. There is no legal impediment in allowing the application. Thus I proceed to pass the following:

ORDER

I.A. No. II filed by the plaintiff U/o III Rule 1 and 2 of CPC is hereby allowed.

The applicant is appointed as power of attorney holder of plaintiff and permitted to prosecute the case on behalf of plaintiff as power of attorney holder of the plaintiff.

Issue emergent notice on IA No.I and suit summons to defendants.

Call on 30-09-2024.

**Senior Civil Judge & JMFC,
Chincholi.**