

ORDER ON I.A. FILED UNDER ORDER
XXXII RULE 15 R/W/S 151 OF CPC

The applicant has filed the application seeking permission to conduct the case on behalf of the petitioner as his natural guardian.

2. In the affidavit annexed to the application it is stated that, the petitioner has sustained grievous injuries in the accident and he is not yet recovered

and that, he has lost knowledge and facts of the case and is unable to conduct the case and that, the doctor who has treated the petitioner has informed that, it is hardly possible for the petitioner to recover and hence, it is necessary to appoint a natural guardian for conducting the case on behalf of the petitioner.

3. The respondent No.2 has not filed any objection to the application.

4. Following points do arise for consideration :

1) Whether the applicant has made out grounds to permit him to conduct the case as guardian of the petitioner?

2) What order?

5. Having heard learned counsel for the petitioner and considered the material on record, I have answered the above points as below :

Point No.1 : In the Negative,

Point No.2 : As per final order for the following :

REASONS

6. **Point No.1** : The applicant who is the father of the petitioner has filed the present application seeking permission to conduct the case on behalf of the petitioner as his natural guardian. It is stated by the applicant that, the petitioner has sustained grievous injuries in the accident and he is not yet recovered and that, the doctor who has treated him

has informed that, it is hardly possible for him to recover. It is further stated that, the petitioner has lost complete knowledge and information of the facts.

7. Even though the applicant has stated that, the doctor has opined that, it is hardly possible for the petitioner to recover from the injuries, the applicant has not produced any medical certificate before the court. There is no material on record to show that, the petitioner is not yet recovered from the injuries sustained in the accident and has become a person of unsound mind. In the absence of supporting material, it is not proper to consider the petitioner was person of unsound mind and permit the applicant to conduct the case on behalf of him. Hence I answer point No.1 in the Negative.

8. **Point No.2** : Having answered point No.1 in the Negative, I proceed to pass the following :

ORDER

I.A. filed by the applicant under Order XXXII Rule 15 r/w/s 151 of CPC is dismissed.

For petitioner's evidence,

Call on 14/05/2025.

(BABU N.)

Addl. Senior Civil Judge & MACT.,

Dt : 06/05/2025

Pandavapura.