

## Order on I. A.No.VI

The counsel for plaintiff has filed the present application I.A.No.VI U/O 3 Rule 2 of CPC by permitting the plaintiff to appoint her GPA holder as her recognized agent to conduct the case on her behalf.

2. The application is supported by the affidavit of the GPA holder of the plaintiff and it is sworn that the plaintiff is age and fragile health. Therefore the plaintiff executed GPA in her favour. Hence prayed to allow the applicant to conduct the case on behalf of plaintiff as her GPA/ recognized agent.

3 The defendants counsel submitted no objection to the application.

4. Herd the counsel for plaintiff and defendants.

5. The counsel for plaintiff has filed present application to permit the GPA holder of the plaintiff to conduct the present case on behalf the plaintiff. It is stated in the affidavit sworn by the GPA holder that the plaintiff is age and fragile health and therefore she can not appear before the court on all the future date of hearing. By considering the age and fragile health of the plaintiff she executed the GPA in favor of her son who is present applicant. The Hon'ble Supreme Court in **Suraj Lamp & Industries (P) Ltd., Vs State of Haryana and another - (2012) 1 SCC 656**, it has been held that a party can prosecute the suit through her power of attorney holder. By considering principle laid down in the aforesaid ruling and also by considering the reasons assigned by the applicant, it is

necessary to permit the GPA holder to conduct the present case on behalf of the plaintiff. Hence for the said reasons this court proceeds to pass the following:

**ORDER**

**The application I.A.No.VI filed by the applicant U/O III Rule 2 of CPC is hereby allowed.**

**The applicant is hereby permitted to prosecute the case on behalf of the plaintiff as her GPA holder / recognized agent.**

**No order as to cost.**

**For P/E**

**Call on:**

(Dictated to the Stenographer, transcribed by him on computer, revised, corrected and then pronounced by me in the open Court on this the 11<sup>th</sup> day of July, 2024)

**(Sandesh Prabhu. B)  
Senior Civil Judge & J.M.F.C  
H.D.Kote**