

Order on I. A.No.III

The plaintiffs have filed the present application U/O 32 rule 4 of CPC to permit the plaintiff No.3 to represent the plaintiff No.1 and 2 as their minor guardian.

2. It is stated in the affidavit accompanying to the application that the plaintiff No.1 and 2 are the minors and the plaintiff No.3 is the mother of plaintiff No.1 and 2. It is also stated that there is no any adverse interest between the plaintiffs and in order to protect the interest of minor plaintiff No.1 and 2, it is necessary to appoint the plaintiff No.3 as minor guardian for plaintiff No.1 and 2. Hence prayed to allow the application.

3. Heard the arguments of counsels for plaintiffs .

4. The present application has filed by the plaintiffs to permit the plaintiff No.3 to act as guardian of minor plaintiff No.1 and 2. The affidavit accompanying to the application reveals that the plaintiff No.1 and 2 who are the minors are the children of plaintiff No.3 and the plaintiff No.3 is the mother of said minor plaintiffs. It is sworn that there is no any adverse interest between the plaintiffs. Since the plaintiff No.3 is the mother of minor plaintiff no.1 and 2, there will not be any adverse interest and it is necessary to appoint her as guardian to protect the interest of minor plaintiffs. Hence the application I.A.No.III filed by the plaintiffs U/O 32 rule 4 CPC is hereby allowed. The plaintiff No.3 is hereby permitted to prosecute the present case as minor guardian of plaintiff No.1 and 2.

5.Issue S/S to defendant No.1 and 3 along with notice on
I.A. No.II.

Call on : 06.09.2023

(Dictated to the Stenographer, transcribed by him on computer, revised,
corrected and then pronounced by me in the open Court on this the 17th day of
August 2023)

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