

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 7077/2026

1. Tarachand S/o Shri Ramdayal, Aged About 86 Years,
Resident Of Sindhiyon Ki Gali, Sursagar, Jodhpur.
2. Govind Singh S/o Tarachand, Aged About 60 Years,
Resident Of Sindhiyon Ki Gali, Sursagar, Jodhpur.
3. Himmat Singh S/o Tarachand, Aged About 58 Years,
Resident Of Sindhiyon Ki Gali, Sursagar, Jodhpur.
4. Gajendra Singh S/o Tarachand, Aged About 52 Years,
Resident Of Sindhiyon Ki Gali, Sursagar, Jodhpur.

----Petitioners

Versus

1. Ramnarayan S/o Shri Ramdayal Ji, Resident Of Sindhiyon
Ki Gali, Sursagar, Jodhpur.
2. Bhajan Singh S/o Shri Ramnarayan, Resident Of
Sindhiyon Ki Gali, Sursagar, Jodhpur.

----Respondents

For Petitioner(s)	:	Mr. Nitin Trivedi
For Respondent(s)	:	-

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

28/03/2026

Learned counsel for the petitioners submits that the petitioner No.1 Tara Chand, being the defendant in the suit, on account of his medical condition, namely Parkinson's disease, moved an application under Order XXXII Rule 15 of the Code of Civil Procedure, 1908, seeking appointment of his son as next friend/guardian to prosecute and defend the proceedings on his behalf. The said application was duly supported by medical certificates issued by a competent medical practitioner. However, the learned Trial Court dismissed the application on the ground

that no relevant or sufficient medical documents had been filed to substantiate the petitioner's illness.

The matter requires consideration.

Issue notice to the respondent, returnable within a period of six weeks.

In the meanwhile and till next date, further proceedings in Suit No.158/2011 titled *Ramnarayan Vs. Tarachand & Ors.* pending before Senior Civil Judge, Pipar City, Jodhpur District shall remain stayed.

(MUKESH RAJPUROHIT),J