

(1923) 02 AHC CK 0038
In the Allahabad High Court

Mohan Lal and Another

APPELLANT

Vs

Ganga Prasad and Others

RESPONDENT

Date of Decision : 15-02-1923

Acts Referred:

Citation : (1923) ILR (All) 395

Hon'ble Judges : Walsh, J;Piggott, J

Bench : Division Bench

Final Decision : Allowed

Judgement

Piggott and Walsh, JJ.—Prior to the hearing of these connected appeals a question has been raised by a petition presented to this Court from Mr. Sital Prasad, vakil, of Agra, it appears that there are two minors, Bala Prasad and Nanhe, whose interests are concerned in both these appeals. The court having failed to find any other person fit and willing to act as their guardian for the purposes of these appeals, has appointed Mr. Sital Prasad, vakil, to be such guardian.

2. That gentle in an appeals to us to make a proper order as to the costs to be incurred by him in order that he may obtain the legal assistance necessary to the proper representation of the minors at the hearing of the appeals. We have been asked, to consider whether such order can properly be made by us under Order XXXII, Rule 4, of the Code of Civil Procedure. We are clearly of opinion that a vakil of the court is an officer of that court for the purposes of this rule, and that therefore we have jurisdiction to make the order prayed for.

3. We direct accordingly that the appellant, Pandit Mohan Lal, do pay a sum of Rs. 75 as a fee for counsel to appear and represent the interests of the minor respondents at the hearing of the two appeals. Previous payment of the fee must be certified to us before the hearing of the appeals. We allow two weeks" time to the said appellant for the purpose.