**A Minor or a person of Unsound Mind in a Civil Suit**

**Format of a Plaint by a Minor or a person of Unsound Mind in a Civil Suit**

**Important points to remember-**

**Suit for and against a minor or a person of unsound mind are drafted as per Order XXXII of CPC:**

Rule 1: Every suit by minor is instituted in his name by a person called "next friend".  
Rule 3: Where a defendant is a minor, the court shall appoint a proper person to be "guardian" for the suit for the minor. An order to appoint a guardian can be obtained upon application by the plaintiff or by the minor in his name or by the minor on his behalf.

Only difference between a regular suit and a suit by/against a minor is that the name of the next friend or guardian is specified along with the name of the parties.

In the Court of Civil Judge Class - -----

Suit No. ………… / 20…….  
A. B. s/o B. C.  
A minor through his next friend X. Y.,.........................................  Plaintiff

Vs.

M. N. s/o O. P.  
A minor through his guardian  O. P..........................................  Respondent

Suit for XXX

The plaintiff respectfully states as follows : -

(1) Plaintiff is a Govt. Servant working in Delhi. and so on  
...  
...  
(12) Relief Claimed:

The plaintiff prays that the court be pleased to order the respondent to perform his part of the contract by transferring the said plot to the plaintiff.  
The plaintiff further prays that the respondent be ordered to pay compensation for mental harrasment, loss of wages, and cost of this litigation.

Place: ………………….                                                                            (Signature of the next friend on behalf of minor)  
Date: …………………..

          YYY  
Advocate for Plaintiff

Verification  
    
 I, \_\_\_\_\_\_, do hereby verify that the contents from paras 1 to 12 are correct and true to the best of my knowledge and personal belief and no part of it is false and nothing material has been concealed therein. Affirmed at Indore this 4th Day of September 2014.

(Signature of next friend)   
Plaintiff  through Next Friend