

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 545 of 2015

Navin Talwar S/o Late Shri Ashok Talwar Aged About 41 years At: Beside Madhu Sweets, Sapre Building, Great Eastern Road, Opposite Old Bus Stand, Abdul Hamid Ward No. 36, Maudhapara, Police Station Maudhapara, Raipur (Chhattisgarh)

---- Petitioner

Versus

1. Smt. Ragini Agarwal W/o Shri Govind Narayan Agarwal R/o Raigarh Bada, Civil Lines, Raipur (Chhattisgarh).
2. Smt. Shanti Talwar W/o Late Shri Ashok Talwar At: Beside Madhu Sweets, Sapre Building, Great Eastern Road, Opposite Old Bus Stand, Abdul Hamid Ward No. 36, Maudhapara, Raipur (Chhattisgarh)
3. Deepak Talwar S/o Late Shri Ashok Talwar At : Beside Madhu Sweets, Sapre Building, Great Eastern Road, Opposite Old Bus Stand, Abdul Hamid Ward No. 36, Maudhapara, Raipur (Chhattisgarh)
4. Rajat Talwar S/o Late Shri Ashok Talwar Aged About 37 Years At : Beside Madhu Sweets, Sapre Building, Great Eastern Road, Opposite Old Bus Stand, Abdul Hamid Ward No. 36, Maudhapara, Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Sachin Tamrakar, Advocate
For Respondent/State	:	Ms. Sunita Jain, Panel Lawyer

Order On Board

06/08/2015

Heard.

1. This petition under Article 227 of the Constitution of India is directed against order dated 19.6.2014 by which petitioner's application for impleading firm as one of the parties has been rejected.
2. Learned counsel for the applicant submits that as the business in the disputed premise is being run by the applicant in the name of firm, the firm would also be necessary party.
3. After going through the order and the pleading of respective parties, I find that it is a suit for eviction of defendant and if the firm, independently of the partner, claims to be tenant, the issue can be raised by the petitioner- defendant during the hearing of the trial. There is no illegality or perversity in the impugned order.
4. The petition is therefore dismissed.

Sd/-

**(Manindra Mohan Shrivastava)
JUDGE**