

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No.4331 of 2014

Date:30.01.2015

Between:

J.Anil Kumar,
S/o Jawaharlala

..... Petitioner

And:

Ashsish Jain, S/o Late Manikchand
and another.

.....Respondents

Counsel for the petitioner: Sri K.Mallikarjuna Rao

Counsel for the Respondents: ---

The Court made the following:

ORDER:

This Civil Revision Petition arises out of order, dated 16.10.2014, in I.A.No.652 of 2014 in I.A.No.574 of 2014 in OS.No.109 of 2014 on the file of learned Additional Junior Civil Judge, Malkajgiri, Ranga Reddy District.

Respondent No.1 filed the above-mentioned suit against respondent No.2 for permanent injunction. He has also filed I.A.No.574 of 2014 for temporary injunction against respondent No.2. While the said application was pending, respondent No.1 has come out with I.A.No.652 of 2014 for impleading the petitioner as respondent No.2 in I.A.No.574 of 2014. In support of this application, respondent No.1 has pleaded that after the filing of the suit, he came to know that respondent No.2, who was the

sole defendant, has sold the suit schedule property to the petitioner during the year 2009 and that in view of the plea taken by respondent No.2 that he is no way concerned with the suit schedule property, respondent No.1 has filed I.A.No.652 of 2014 for impleadment of the petitioner. The lower Court has allowed the said application by observing that respondent No.2 has admittedly sold the suit schedule property to the petitioner during the year 2009 and that therefore, for proper and effectual adjudication of the dispute raised, he is a necessary and proper party.

Having regard to the admitted fact of the case that the original defendant has sold the suit schedule property to the petitioner, the latter has stepped into the shoes of the original defendant and therefore, it cannot be said that he is not a necessary and proper party to the proceedings before the lower Court.

In this view of the matter, I do not find any reason to interfere with the order of the lower Court. Accordingly, the Civil Revision Petition is dismissed.

As a sequel to dismissal of the Civil Revision Petition, CRPMP.No.5925 of 2014 is dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*30th January 2015
DR*