

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Date of decision:28.01.2015

M/s Buzz Hotels Private Limited

.....Petitioner

v.

Anuraj and others

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Sanjiv Sharma,Senior Advocate assisted by
Mr.Shekhar Verma,Advocate for the petitioner.

Jaswant Singh,J.(Oral)

Applicant/petitioner is in revision under Article 227 of the Constitution aggrieved by the order dated 10.9.2014 (P-1) passed by the learned Additional Civil Judge (Senior Division) Sohna whereby its application for impleadment as a defendant in Civil Suit no.59/2005 for specific performance filed by respondent-plaintiff Anuraj, has been dismissed.

It is averred that the applicant having purchased the suit property subject matter of the Civil Suit No.59/2005 filed by plaintiff-Anuraj, would be a necessary party since the earlier vendor having no subsisting right,title or interest in the suit property. It is further averred that the present applicant to protect its sale deeds dated 16.11.2005/13.1.2006 relating to the present suit property has already filed a separate suit no.36/2007 by impleading the said Anuraj as one of the defendants.

A perusal of the paper book reveals that a similar application filed earlier by the applicant for its impleadment in the proceedings under Order 9 Rule 13 CPC relating to the same suit stood declined by this Court in CR No.3560/2008 decided on 17.3.2009, hence this Court is not inclined to differ with the order passed by a Co-ordinate Bench of this Court. However, in the light of arguments raised by the learned counsel for the petitioner, this Court deems it expedient to dispose of the present revision petition with a direction to the learned trial Court to club the two suits bearing No.59/2005 filed by plaintiff Anuraj and the other bearing NO.36/2007 filed by applicant/M/s Buzz Hotels Pvt.Limited relating to the same property in order to effectively and efficiently decide the *lis* between the parties.

Disposed of in the above terms.

28.01.2015
joshi

(Jaswant Singh)
Judge