

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CR 1864 of 2015

Date of Decision: July 7, 2015

Billu Sharma

.....Petitioner

Vs.

Amar Singh and ors

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.Sanjay Mittal, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

The application under Order 1 Rule 10 CPC filed by the petitioner for impleadment in a suit for specific performance filed by respondents No.1 and 2 against respondents No.3 to 6 has been dismissed by the trial Court. Aggrieved by the said order, the present revision petition under Article 227 of the Constitution of India has been preferred.

Counsel for the petitioner has vehemently contended that the petitioner has got right, title and interest in the property in dispute on the basis of un registered agreement of sale dated March 15, 1998 whereas the

suit of plaintiff- respondents No.1 and 2 against the remaining respondents is based on an alleged agreement of sale dated August 10, 2001.

On asking of the Court, learned counsel for the petitioner informs that till date petitioner has not taken any steps to enforce his legal rights on the basis of the agreement of sale.

Since the petitioner claims his right, title and interest in the property on the basis of previous agreement of sale, it will not be appropriate to permit his impleadment especially when he has himself not taken any steps till date for enforcement of his legal rights. No ground is made out for interference in the impugned order.

Dismissed without prejudice to the other civil rights of the petitioner.

July 7, 2015
sanjay

(M.M.S.BEDI)
JUDGE