

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 1989 of 2015 (O/M)
Date of decision : 4.9.2015

Suman

..... Revisionist

Versus

Smt. Bira and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Balraj Singh, Advocate,
for the revisionist.

Mr. Anil Ghanghas, Advocate,
for respondent No. 10.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 3.3.2015 (Annexure-P-3), passed by the learned Civil Judge (Junior Division), Bhiwani, vide which the application of the present revisionist under Order 1 Rule 10 of Code of Civil Procedure, 1908, ('CPC') to become a party, was dismissed.

I have heard the learned counsel for the parties and have also carefully gone through the file.

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It comes out that a suit for specific performance on the basis of agreement to sell dated 8.8.2008 was filed by the plaintiff/respondent No. 10 before the lower Court, in which subsequent vendees were also made party. The present revisionist Suman is stated to have purchased a part of the land from respondent No. 7, vide sale deed dated 14.11.2014 i.e. during the pendency of the suit. Now, the revisionist wants to become a party in the said suit and take the plea that she is a bonafide purchaser.

I am of the view that the sale was effected during the pendency of the suit from a subsequent vendee. Therefore, any purchaser, who purchases the property during the pendency of the suit, need not to be made party as the findings recorded in the suit are binding up on him. Therefore, the revisionist is not a proper party to be impleaded during the hearing in the suit.

The present revision is accordingly dismissed.

(KULDIP SINGH)
JUDGE

4.9.2015
sjks