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

CR No.1928 of 2014

Date of decision: March 26, 2015

Dinesh Kumar Sandhu

.....Petitioner

Versus

Jarnail Singh and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Manoj Kumar, Advocate
for the petitioner.

Mr. Ashish Aggarwal, Senior Advocate with
Mr. Govind Chauhan, Advocate
for the respondents.

SABINA, J

Petitioner has filed this petition challenging the order dated 26.11.2013 (Annexure P-11), whereby application moved by the petitioner under Order 1 Rule 10 of Code of Civil Procedure, 1908 ('CPC' for short), was dismissed.

I have heard learned counsel for the parties and have gone through the record available on the file carefully.

Respondent No.1-Jarnail Singh has filed suit against respondent No.2 for joint possession by way of specific performance of agreement to sell dated 18.02.2000. During the pendency of the suit, petitioner moved an application under Order 1 Rule 10 CPC praying that he be impleaded as party to the suit as respondent No.2 had executed agreement to sell in his favour on 12.09.2008 and

had received ₹20,00,000/- by way of earnest money. The learned trial Court while dismissing the application rightly observed that the petitioner has already filed a suit for specific performance against respondent No.2-Baljinder Singh through his legal representatives and the same was pending. The agreement to sell put-forth by the petitioner had been executed during the pendency of the suit filed by petitioner No.1. Moreover, petitioner has already resorted to his legal remedy by filing the suit.

No ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

March 26, 2015
m.singh