

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

Civil Revision No.2391 of 2015

Date of decision: 07.04.2015

Jasjitinder Singh

... Petitioner

versus

Jasdarshan Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Akshay Jain, Advocate,
for the petitioner.

Mr. Ashok Verma, Advocate,
for respondent No.1-Caveator.

K.Kannan, J. (Oral)

1. The caveator is present before court and I proceed to dispose of the case after hearing them on merits of the case.

2. The revision is against an order passed in an application for impleadment of parties under Order 1 Rule 10 CPC. The suit is for injunction and the application for impleadment is sought by the brother of the plaintiff contending that he has also a right to the property and that his right must be determined. In a suit for injunction where there is no prayer for declaration, a person, who claims that he has right to the property, may choose to file his own suit and fend off any apprehension of assertion of right to the property by taking advantage of a decree for injunction if ever it is

granted. The impleadment of the third party will only cause confusion at the trial and will compel the court to adjudge on title which is irrelevant and unnecessary. The impleadment order is wrong and it is set aside. The revision petition is allowed. The respondent will be at liberty to institute his own suit for declaration, if he is so advised.

(K.KANNAN)
JUDGE

07.04.2015
sanjeev