

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 2487 of 2015 (O/M)
Date of decision : 9.4.2015

Balwant Rai Dhiman

..... Petitioner

Versus

Madan Lal Dhiman and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Amanpreet Kaur, Advocate, for the revisionist.

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)

Present revisionist has filed this revision against the order dated 2.12.2014, passed by the learned Civil Judge, Junior Division, Phillaur, vide which the application under Order 23 Rule 1 (a) CPC read with Section 151 CPC for transposing him as a plaintiff was dismissed.

I have heard the learned counsel for the revisionist.

It comes out that the present revisionist is already arrayed as proforma defendant No. 4(c) in case No. 476/10 titled as Madan Lal Versus Official Liquidator and others, pending in the Court of the learned Civil Judge, Junior Division, Phillaur. Earlier, he was proceeded against ex-parte and ex-parte proceedings against

him have been set aside. The case is already ordered to be decided in a time bound manner by this Court. The defendant cannot become co-plaintiff against the wishes of plaintiff.

Learned Civil Judge, Junior Division, Phillaur, has observed that there is no justification to transpose him as co-plaintiff as his interests are not likely to be adversely effected. It was further observed that the plaintiff and the applicant/revisionist are filing one or the another application to delay the proceedings. Since the revisionist is already a party, he cannot be added as co-plaintiff against the wishes of the plaintiff.

It being so, I do not find any merit in the present revision and the same is accordingly dismissed.

(KULDIP SINGH)
JUDGE

9.4.2015
sjks