

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 3188 of 2014 (O&M)
Date of decision: 04.05.2015

Kulwant Kaur and another

... Petitioners

versus

Kulwinder Kaur and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Amit Saini, Advocate for the petitioners.

Mr. O.P. Goyal, Senior Advocate with
Mr. R.S. Kang, Advocate for respondent Nos. 1 to 6.

Mr. D.S.Gandhi, Advocate for respondent No.7.

K.Kannan, J.

Assignee of interest of portion of property from the plaintiff has sought for impleadment in the suit for declaration filed by the plaintiff. The Court has reasoned that the impleadment sought is unnecessary since the purchaser's interest will not be in any way affected even by the decision of the case.

I hold the reasoning to be erroneous. If the plaintiff's suit is dismissed then the extent to which the petitioners have purchased it from the plaintiff will also be lost. It is in the interest of the purchaser that he must protect his title for the property purchased by him. If the plaintiff would not want the purchaser to be joined as a co-plaintiff, I direct the impleadment of the petitioners as defendant Nos. 10 and 11. The document of purchase will be exhibited as evidence and the defendants will only join the proceedings for arguments and will have no right of seeking any oral evidence, particularly in view of the submissions made by the plaintiff admitting to the sale in favour of the petitioners. The Court will proceed to dispose of the case after the

arguments in accordance with law.

The civil revision petition is disposed of.

(K.KANNAN)
JUDGE

04.05.2015

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