

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CR 3754 of 2015

Date of Decision: July 21, 2015

Jagdish Singh

.....Petitioner

Vs.

Gram Panchayat and anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.B.S. Jattana, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

The plaintiff- petitioner is aggrieved by the order dated May 8, 2015 dismissing the application under Order 1 Rule 10 CPC seeking to incorporate Jagroop Singh as a defendant. The trial Court observed that in case the petitioner has got any threat at the hands of Jagroop Singh, it will be open to the plaintiff- petitioner to seek independent remedy against him.

I have heard learned counsel for the petitioner. It appears that without seeking the amendment of the plaint, the plaintiff- petitioner merely filed an application for impleading Jagroop Singh as a party which had rightly been dismissed by the trial Court. The petitioner could have either

sought amendment of the plaint on the basis of the subsequent event of threat at the hands of Jagroop Singh or he could have filed a fresh suit. No ground is made out for interference.

The petition is dismissed. However, it is observed that nothing said in the impugned order or in this order will prejudice the rights of the petitioner to avail any independent remedy available against Jagroop Singh who is sought to be impleaded as additional defendant.

July 21, 2015
sanjay

(M.M.S.BEDI)
JUDGE