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

CR No.3867 of 2015 (O&M)

Date of decision: July 20, 2015

Iqbal Singh

.....Petitioner

Versus

Kamaljit Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Atul Arya, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the order dated 20.02.2015, 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 petitioner and have gone through the record available on the file carefully.

Respondent No.1 has filed suit for declaration against respondent Nos.2 and 3 challenging the sale-deed dated 30.10.2007 executed by respondent No.2 in favour of respondent No.3. During the pendency of the suit, petitioner moved an application under Order 1 Rule 10 CPC for being impleaded as a party. The case of the petitioner was that he was a co-owner qua the suit property and inherited the same. However, petitioner had failed to produce on record any document to substantiate the said plea before the trial Court.

Even otherwise merely, because the petitioner is a co-owner

qua the suit property, is no ground to implead the petitioner as a party. In fact, the suit had been filed by the plaintiff challenging the sale-deed executed by defendant No.1 in favour of defendant Nos.2 and 3. Hence, petitioner cannot be said to be a necessary party.

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

Dismissed.

**(SABINA)
JUDGE**

July 20, 2015
mahavir