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

CR No.4228 of 2015

Date of decision: July 08, 2015

Sandeep Kumari and another

.....Petitioners

Versus

Mahender Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Gurcharan Dass, Advocate
for the petitioners.

SABINA, J

Petitioners have filed this petition challenging the order dated 16.05.2015.

Learned counsel for the petitioners has submitted that the respondent No.3 was neither necessary nor proper party. Trial Court has erred in allowing the application moved by respondent No.3 to be impleaded as a defendant in the suit. In fact, the sale-deeds executed in favour of the respondent No.3 during the pendency of the suit, were hit by the principle of *lis pendens*.

Petitioners have filed suit for declaration against respondent Nos.1 and 2 and have challenged the decrees dated 06.06.1988 and 07.10.1996. Respondent No.3 has purchased the suit property during the pendency of the suit. Although sale-deeds executed during the pendency of the suit would be hit by the doctrine of *lis pendens*, but the fact remains that defendant No.1 has sold his entire property and apparently now, he has no right, title or interest left in the suit property.

In the facts and circumstances of the present case, the learned trial Court rightly allowed the application moved by the

respondent No.3 to be impleaded as a party, so that respondent No.3, who is a subsequent purchaser can protect her interest and rights.

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

Dismissed.

**(SABINA)
JUDGE**

July 08, 2015

mahavir