

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

CR No. 4278 of 2015 (O&M)

Date of decision-11.09.2015

Varinder Singh Purewal & another

...Petitioners

Vs.

Gurmit Purewal & another

...Respondents

CORAM:- HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. Vijay Lath, Advocate &
Mr. Naveen Sharma, Advocate
for the petitioners.

Mr. Pershant Sareen, Advocate
for the Caveator-respondents No.1 and 2.

RAJ MOHAN SINGH. J. (Oral)

C.M No.13052-CII-2015

The prayer in this application is for impleading legal representatives of deceased-respondent No.13.

Samittar Singh, respondent No.13 died on 07.03.2010, leaving behind the legal representatives as shown in para No.2. For the reasons mentioned in the application and in view of no objection shown by the learned counsel for the Caveator-respondent No.1, application is allowed. Legal representatives of respondent No.13 as shown in para No.2 of application are ordered to be brought on record as legal representatives of deceased-respondent No.13.

CR No. 4278 of 2015

In this revision petition, petitioner has assailed order dated 03.09.2014 passed by Additional District Judge Jalandhar vide which order dated 13.03.2011 passed by Civil Judge (Junior Division) Nakodar has been upheld.

Bir Singh had two sons namely Lakhjit Singh and Gian Singh. Estate of

Lakhjit Singh is in issue. He had two wives. From first wife, Jaspal Kaur , Jasbir Kaur and Parveen Riar took birth. From the second wife namely Gurmeet Kaur, Jasjit Kaur took birth. In respect of estate of Lakhjit Singh, a civil suit was filed by B.S Purewal in Delhi wherein status quo was granted at the instance of defendant No.1 and 2 therein i.e. the plaintiffs of the present suit.

Learned counsel for the petitioner states that the entire property of Bir Singh was subjected to a civil suit which was filed at Nakodar involving entire property of Bir Singh. That suit was decreed ex parte in favour of Varinder Singh Purewal thereby decreeing the suit in the ratio of $\frac{1}{2}$: $\frac{1}{2}$. By virtue of this decree, Jagtar Singh is entitled to half of the property and so as Virinder Singh Purewal. Virinder Singh Purewal got the property in respect of estate of Lakhjit Singh whereas Jagtar Singh got the property in respect of estate of Gian Singh. This decree has been assailed in the present suit, wherein order of interim injunction has been passed by both the Courts. Apparently, different cause of action is involved in both the cases. Jagtar Singh is not party in the litigation, which is statedly pending in Delhi. In view of aforesaid, prima facie no fault can be seen in the approach adopted by the Courts below.

Hence this revision petition is dismissed.

September 11, 2015

vanita

(RAJ MOHAN SINGH)
JUDGE