

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 4415 of 2015 (O/M)
Date of decision : 31.8.2015

Mohd. Iqbal

..... Revisionist

Versus

M/s H.P. Aman Filling Station and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Aditya Jain, Advocate, for the revisionist.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 28.4.2015 (Annexure-P-1), passed by the learned Civil Judge (Junior Division), Ferozepur Jhirka, vide which the application of the present revisionist under Order 1 Rule 10 of Code of Civil Procedure, 1908 (in short 'CPC') for impleading the revisionist as necessary party, was dismissed.

The contention of the learned counsel for the revisionist is that Bharat Petroleum Corporation Limited ('BPCL'), who is defendant No. 4 in the suit, had allotted the petrol pump to the revisionist and letter of intent has been issued in his favour. It is stated that the plaintiff/respondent No. 1 is seeking injunction against BPCL and other department from installing the petrol pump against the rules.

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I am of the view that it is simple injunction suit and will be binding on the parties thereto. The findings in the suit will not be binding on the present revisionist, who has got independent right. If the necessary parties have not been joined, then it will be the plaintiff who will be the sufferer. It being so, the present revision is dismissed with the observations that the findings recorded in the said suit for injunction will not be binding on the present revisionist.

The present revision is accordingly dismissed.

(KULDIP SINGH)
JUDGE

31.8.2015
sjks