

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

Civil Revision No.4457 of 2015 (O&M)

Date of decision: 16.07.2015

Parminder Singh Dhaliwal and others

.... Petitioners

versus

Satbir Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. M.L. Saggar, Senior Advocate,
with Mr. Arun Gupta, Advocate,
for the petitioners.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

1. The plaintiff, who has filed a suit for specific performance, was fended off in the course of trial of his attempt to implead one Gurjit Singh. The said Gurjit Singh, according to the plaintiff, held an agreement of sale in his favour originally having parted with earnest money but later when he was proceeding abroad, he had allowed for the rights to be assigned to the plaintiff in agreement with the defendants 1 to 4. When the original document of agreement in favour of Gurjit Singh was sought to be produced by the plaintiffs, it appears that the objections had been taken by the

contesting defendants 5 and 6 on the ground that the original document could not have been with him. It was at that stage, the plaintiffs have filed an application for impleadment to Gurjit Singh when the court has declined the same.

2. I do not think Gurjit Singh is a necessary party. If the plaintiff would want to give any explanation about the truth of the agreement in favour of Gurjit Singh and the subsequent arrangement by which the plaintiff took over the rights, it is open to the plaintiff to examine Gurjit Singh as a witness. It is not necessary to bring him as a party to the proceedings if the court has declined the attempt of the plaintiff to implead him. I will find no illegality in the order for an intervention. The order is sustained and the revision petition is disposed of subject to the observations made above.

(K.KANNAN)
JUDGE

16.07.2015
sanjeev