

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

C.R. No. 5165 of 2015 (O&M)

Date of decision:- 14.08.2015

Smt. Rajwati

...Petitioner

Versus

Sanjay Sharma and others

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. J.K. Sehrawat, Advocate
for the petitioner.

RITU BAHRI J. (Oral)

This petition under Article 227 of the Constitution of India is for setting aside order dated 04.05.2015 (P-4) passed by the learned Civil Judge (Jr. Divn.) Faridabad, whereby the application under Order 1 Rule 10 read with Section 151 CPC filed by respondent No. 3 is allowed.

The learned trial Court vide its impugned order had rightly allowed the application of the applicant on the ground that F.I.R No. 433 dated 17.07.2014 has been registered by the applicant against the plaintiff/defendant and other persons as they had committed a fraud by taking the advantage of old age of Smt. Kailash Devi illegally got executed unregistered conveyance deed of H. No. 414, Sector 9,

Faridabad. Thus the presence of the applicant was held to be significant for the complete and comprehensive adjudication of the matter. Reference has been made to a case ***Ranbir Singh vs. Ran Singh 2006(2) RCR 278, JagjitSingh vs. Ajit Lal reported as 2014 (2) RCR 928 & Jagjit Singh vs. Charanjit Singh 2014(3) RCR 40***

Learned counsel for the petitioner has argued that the applicant can file separate suit challenging the sale deed in favour of the plaintiff. However, since the decree in the present suit will bind the applicant, therefore, the trial Court has rightly allowed the application of the applicant under Order 1 Rule 10 read with Section 151 CPC.

In view of the above, the revision petition is devoid of merit and is accordingly dismissed.

August 14, 2015
G Arora

(***RITU BAHRI***)
JUDGE