

In the High Court of Punjab and Haryana at Chandigarh

Civil Revision No. 565 of 2011 (O&M)
Date of Decision: 23.4.2015.

Rajinder Singh and another

.....Petitioners

Versus

Sultan Singh Deshwal and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Deepak Balyan, Advocate
for the petitioners.

Mr. Kulvir Narwal, Advocate
for respondent No. 3.

SABINA, J.

Petitioners have filed this petition challenging the order dated 26.11.2010 (Annexure P-5) whereby application moved by the petitioners under Order 1 Rule 10 read with Order 6 Rule 17 of the Code of Civil Procedure, 1908, was dismissed.

I have heard the learned counsel for the parties and have gone through the record available on the file carefully.

Petitioners have filed suit for specific performance of agreement to sell dated 6.11.2004. During the pendency of the suit, vendors sold the property in question. Petitioners moved an application before the Trial Court for permission to implead the subsequent purchaser as a defendant. The learned Trial Court rightly dismissed the application moved by the petitioners for permission to implead the subsequent purchaser as a defendant as

principle of *lis pendens* will apply. The sale deed dated 20.12.2007 executed by the vendors during the pendency of the suit would be hit by principle of *lis pendens*.

Hence, no ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

April 23, 2015
Gurpreet