

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Civil Revision No. 5931 of 2014

Date of decision: 13.08.2015

Parkash Singh

.....Petitioner

versus

Sukhvir Singh and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.G.S.Sidhu, Advocate for the petitioner
None for the respondents

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Impugned in the present revision is the order dated 14.5.2014, passed by the learned Civil Judge, Junior Division, Dabwali whereby the application of the present petitioner for becoming party to the Civil Suit was dismissed.

In nutshell, the controversy is that one Sukhvir Singh aged about 9 years minor through his mother filed a suit against his grandfather Satkartar Singh for declaration to the effect that on the basis of family settlement he has become owner of the property mentioned in the plaint. It was claimed that property is HUF property, in which the plaintiff has got the right. The present applicant/petitioner is the son of the defendant. He filed an application to become party on the ground that the disputed property is HUF and

ancestral property and that he has also got interest in the same. The said application was dismissed.

I have heard learned counsel for the petitioner and also considered interest of respondent No.1.

In this case, property is stated to be HUF property. According to the applicant/ petitioner, it is also ancestral property. The property is sought to be transferred to the plaintiff on the basis of family settlement. Since the present applicant has also got interest in the ancestral property, therefore, it is necessary to hear him before deciding the suit so as to see that his interests are not adversely affected. The said suit is stated to be collusive between the plaintiff and his grandfather.

In view of the matter, the impugned order is set aside. The revision is allowed and the application under Order 1 Rule 10 CPC stands allowed.

13.08.2015
gk

(Kuldip Singh)
Judge