

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

Civil Revision No.7238 of 2015 (O&M)

Date of Decision: October 31, 2015.

Tarn Taran Cooperative Sugar Mill Ltd.

.....PETITIONER.

VERSUS

Gurmeet Kaur & others

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vikas Singh, Advocate
for the petitioner.

SURINDER GUPTA, J.

Gurmeet Kaur and others have filed suit seeking declaration of title with regard to land bearing khasra Nos.50//10/1(3-0), 1(0-4) and challenging execution of sale deed dated 23.06.2006 of land measuring 4 kanal 10 marlas bearing khasra Nos.50//19/3 (1-9), 10/1 (3-1) by defendants No.6 and 7 in favour of defendants No.1, 2 & 3. Learned counsel for the appellant submits that the land bearing Khasra No.50//10/1(3-1) was acquired for Majha Cooperative Sugar Mill Ltd. Sheron and is now owned and possessed by Mill.

2. An application was moved by the petitioner to implead it as party in the suit. The request of the petitioner was declined by the trial court with the observations that the plaintiffs are seeking cancellation of the sale deed pertaining to the land bearing Khasra No. 50//19/3 (1-9) and 10/1(3-1)

in favour of the defendants in that case. They are not claiming the title over the land of above-mentioned khasra numbers. As the title over the suit land of petitioner is not in dispute and it is also not a party to the suit, any observation made therein shall not be binding on the petitioner, as such, learned Civil Judge (Junior Division) Tarn Taran has rightly observed that the petitioner is not a necessary party.

3. In view of the above observation of learned Civil Judge (Junior Division), Tarn Taran, I find no infirmity in the observation that the petitioner is not a necessary party, this revision petition has no merits.

4. Dismissed.

5. However, it is made clear that nothing observed by learned Civil Judge (Junior Division), Tarn Taran, in the order dated 03.09.2015 shall operate as bar against the revision petitioner in the event of any cloud is cast over its title or possession over the suit land and a relief as provided under law is sought by it.

October 31, 2015.

Sachin M.

**(SURINDER GUPTA)
JUDGE**