

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 7309 of 2015 (O/M)
Date of decision : 2.11.2015

Sunil Khandelwal

..... Revisionist

Versus

Sarve Kirti Kumar Sharma and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sudhir Aggarwal, Advocate, for the revisionist.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 11.5.2015 (Annexure-P-4), passed by the learned Civil Judge (Junior Division), Gurgaon, vide which the application of the defendant No. 3-present revisionist under Order 7 Rule 11 of Code of Civil Procedure, 1908, for rejection of the plaint, was dismissed.

I have heard the learned counsel for the revisionist and have also carefully gone through the file.

The contention of the learned counsel for the revisionist is that in the suit for specific performance, no prayer has been made

CR No. 7309 of 2015 (O/M)

against defendant No. 3-revisionist. Therefore, the suit qua him is liable to be dismissed.

The perusal of the plaint show that some allegations have been levelled against defendant No. 3-revisionist. In the pleadings, it is stated that defendant No. 3 should be asked to execute the agreement to sell alongwith Mrs. Ripika Bedi, who had earlier entered into an agreement to sell the suit property with the plaintiffs. It will be a question of fact whether any relief can be granted against defendant No. 3-revisionist or not ? However, from its face, it cannot be said that defendant No. 3-revisionist is not a necessary party. It being so, there is no ground to interfere in the impugned order. Hence, the present revision stands dismissed.

(KULDIP SINGH)
JUDGE

2.11.2015
sjks