

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

CR No.7386 of 2015

Date of decision : 06.11.2015

Bharpai

...Petitioner

Versus

Satyawan and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. Ajay Ghangas, Advocate for the petitioner.

AMIT RAWAL, J. (Oral)

Challenge in the present petition is to the impugned order dated 10.09.2015 (Annexure P-4), whereby application filed by respondent No.2 for impleading her as defendant No.2 in the suit on the premise that they purchased the property during the pendency of the suit from the defendants, has been allowed.

Mr. Ajay Ghangas, learned counsel appearing on behalf of petitioner submits, that petitioner-plaintiff is "Dominus Litus". No person can press upon his claim, in essence, no such claim has sought against the respondent, thus, prays for setting aside of the impugned order.

I have heard learned counsel for the petitioner-plaintiff and appraised the paper book.

The law with regard to the impleadment of the interested parties has been settled by Hon'ble Supreme Court in *Thomson (India) Ltd. Vs. Nanak Builders & Investors Pvt. Ltd. and ors.*, 2013(5) SCC 397. In my view for the factual and proper adjudication of the suit, it would be essential necessity for the respondent to implead as defendants.

There is another aspect of the matter, assuming that the respondent is not allowed to be impleaded and the plaintiff succeeds in the suit, the plaintiff would not be able to reap the fruits of judgment and decree inasmuch as that it would invite wrath of the third parties objection.

Keeping in view aforementioned observations, I do not intend to differ with the findings rendered by the trial Court.

Impugned order cannot be said to be passed without jurisdiction.

There is no merit in the petition.

Revision petition is dismissed.

06.11.2015

pawan

**(AMIT RAWAL)
JUDGE**