

**In the High Court of Punjab and Haryana at Chandigarh**

**Civil Revision No. 77 of 2013  
Date of Decision: 10.07.2015.**

Jagdish Rai

.....Petitioner

Versus

Bhanu

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE SABINA**

Present: Mr. Rajan Bansal, Advocate  
for the petitioner.

Ms. Puja Chopra, Advocate  
for the respondent.

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**SABINA, J.**

Petitioner has filed this petition under Article 227 of Constitution of India challenging the order dated 3.9.2012 (Annexure P-1) whereby application moved by the respondent for being impleaded as legal representative of deceased Sadhvi Aarti @ Swati Vishwas, was allowed.

Learned counsel for the petitioner has submitted that after the death of Sadhvi Aarti @ Swati Vishwas, respondent could not be impleaded as her legal representative because the suit had been filed by Sadhvi Aarti @ Swati Vishwas claiming possession.

Learned counsel for the respondent, on the other hand, has submitted that the suit had been filed by the plaintiff for permanent injunction. As per the tradition, respondent was liable to be appointed as manager of the temple after the death of Sadhvi Aarti @ Swati Vishwas. Hence, the application moved by the

respondent for impleading her as legal heir of deceased plaintiff, was rightly allowed by the Trial Court.

The Trial Court while allowing the application held that the plaintiff had filed suit for permanent injunction that the defendants be restrained from taking forcible possession of the suit property. In the suit, the Trial Court is not required to adjudicate upon the question as to whether the plaintiff was the manager of the temple or not. It was a simple suit for permanent injunction. In these circumstances, the respondent has been rightly allowed by the Trial Court to pursue the suit being legal representative of the plaintiff.

No ground for interference by this Court is made out.

Dismissed.

**(SABINA)  
JUDGE**

**July 10, 2015**  
**Gurpreet**