

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 7850 of 2015

Date of decision: November 26, 2015.

Roshan Deen

... Petitioner

Vs.

Mohammad Halim and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Arvind Kashyap, Advocate
for the petitioner.

Surinder Gupta, J

This revision petition is against the order dated 10.09.2015 whereby Punjab National Bank-respondent no.3 was ordered to be impleaded as party in the suit for permanent injunction filed by the plaintiff-petitioner against defendants seeking relief that he should not be ejected from the first floor of the premises except in due course of law.

On the application of respondent No.3, the court observed that the property is lying mortgaged with the bank as proceedings under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, have been initiated by the bank against the defendants in that suit. To weigh the interest of the bank, it was allowed to be impleaded as party.

Learned counsel for the petitioner has argued that plaintiff has only claimed the relief of injunction against the defendants and the bank is not a necessary party. Any order passed in that suit in the absence of bank will not be binding on it. So far as the mortgage of property is concerned, the plaintiff is not concerned with the same as it is not going to effect his

tenancy.

On perusal of the order of the Court below, I find that to apprehend misuse of the order that may be obtained by the plaintiff seeking to restrain the defendants from interfering in his possession and its consequent fall out, the court has allowed the bank to be impleaded as party to contest the claim of plaintiff. Impleading of respondent No.3 as party in the suit will not prejudice the case of the plaintiff in any manner.

No reason is made out to interfere with the impugned order.

This petition has no merits.

Dismissed.

November 26, 2015

deepak

(Surinder Gupta)
Judge