

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CR 7665 of 2014

Date of Decision: July 6 2015

Parma Nand

.....Petitioner

Vs.

Subhash Chand and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- None.

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M.M.S. BEDI, J. (ORAL)

This is plaintiff's revision petition against the order annexure P-1 dated April 1, 2014 allowing the application of respondents No.5 to 8 under Order 1 Rule 10 CPC on the ground that they being also coparcener in the property are necessary party to the suit and their presence is necessary for the just decision of this case.

I have considered the facts and circumstances of this case. The plaintiff has filed a suit for declaration challenging the partition deed dated February 4, 1991 against his four brothers claiming themselves to be owner in possession of the property. The dispute is amongst real brothers, whereas

sisters of plaintiff- petitioner claiming themselves to be entitled to inherit the property of their father who allegedly died intestate, moved an application for getting themselves impleaded as a party which was allowed vide impugned order.

Since the plaintiff is claiming title in the property of Sukh Ram who has died, the said suit cannot be decided unless and until all his heirs seeking right, title and interest in the property left by him are not before the Court. The impleadment of sisters will enable the Court to effectually and completely adjudicate upon and settle all the questions involved in the suit. No ground is made out for interference in the impugned order.

Dismissed.

July 6 2015
sanjay

(M.M.S.BEDI)
JUDGE