

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

CR No.8099 of 2015

Date of Decision: December 02, 2015

Mohinder Singh

.... Petitioner

vs.

Buta Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Arihant Jain, Advocate for the petitioner.

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 06.01.2015 passed by learned Civil Judge (Jr. Divn.), Gurdaspur, vide which respondent No.2-Jasbir Singh was impleaded as party.

Vide impugned order, the lower court while considering the application of the present petitioner for dismissing the application for the final decree, suo motto added Jasbir Singh, subsequent purchaser as party under Order I, Rule 10(2) CPC on the ground that he is necessary party.

The plea of learned counsel for the petitioner is that on his application (Annexure P4) for dismissing the application for the final decree, no order has been passed.

I am of the view that though specifically it is not mentioned that the application stands dismissed but the effect of the said order is that now the application of the present petitioner becomes infructuous. In view of the said order, the same will, accordingly, be dismissed as infructuous. Therefore, there is no illegality in exercising the discretionary powers by the lower court, *suo motto* adding Jasbir Singh as party.

Hence, the present revision petition stands dismissed.

December 02, 2015
sarita

(KULDIP SINGH)
JUDGE