

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

**CR No.8494 of 2015 (O&M)
Date of decision: 14.12.2015**

Dilbagh Singh and others ... Petitioners

Vs.

Ashok Kumar and others ... 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. Aman Pal, Advocate
for the petitioners.

AMIT RAWAL J. (Oral)

The petitioners are aggrieved of the impugned order dated 09.10.2015 (Anneuxre P-4), whereby, the application under Order 1 Rule 10 read with Section 151 of the Code of Civil Procedure, filed at the behest of the petitioners seeking impleadment in a suit for injunction filed by the respondent-plaintiffs against the Haryana Wakf Board, has been declined.

Mr. Aman Pal, learned counsel appearing on behalf of the petitioners submits that right and interest of the petitioners have been affected as they have been given land on lease vide lease deed dated 30.06.2013 and paid a sum of ₹6,36,000/- vide receipt No.13087, dated 30.06.2013. After execution of the aforementioned

documents, the Haryana Wakf Board has grievance against the respondents No.1 and 2. but have not disclosed the aforementioned facts in the written statement, therefore, cause of action arose to move an application for impleading them as party as defendants in the suit.

I have heard learned counsel for the petitioners and appraised the paper book.

In my view, the Haryana Wakf Board has not disclosed the factum of lease deed purported to have been set up by the petitioners. The petitioners instead of seeking impleadment in the pending suit, should file a separate and independent suit for declaration and permanent injunction, therefore, in view of the aforesaid observations, they are not necessary party to be impleaded in the pending suit.

Keeping in view the aforementioned observations, I do not intend to differ with the impugned order and same cannot be said to have been passed without jurisdiction.

Accordingly, the revision petition stands disposed of.

(AMIT RAWAL)
JUDGE

December 14, 2015
savita