

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

Civil Revision Petition No.368 of 2016

ORDER:

The Civil Revision Petition arises out of the dismissal of an application by a third party for impleading himself as a contesting defendant in a suit for specific performance, by the order dated 05-01-2016 in I.A.No.675 of 2015 in O.S.No.90 of 2013 on the file of XVI Additional District Judge, Nandigama.

Heard Sri P. Nagendra Reddy, learned counsel for the petitioner and Sri O. Manohar Reddy, learned counsel for the first respondent.

The first respondent filed a suit in O.S.No.90 of 2013 for specific performance of an alleged agreement of sale entered into by him with the respondents 2 to 5 herein. In the said suit, the petitioner herein filed an application in I.A.No.675 of 2015 seeking to implead himself on the ground that the suit was a collusive one to grab the property belonging to a Church. But, the trial Court dismissed the application for impleadment, forcing the third party to come up with the above revision.

A suit for specific performance is a suit between two contracting parties. Such a suit does not decide the title of a person to a property. Therefore, a third party has no right to implead himself in a suit, which arises out of a contract *inter se* parties.

In such circumstances, the dismissal of the application for impleadment is justified and calls for no interference. Therefore, the Civil Revision Petition is dismissed.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

Date: 17-06-2016

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