

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

272

Civil Revision No. 1040 of 2015

Date of Decision: September 09, 2016

LEELA AND ORS

-PETITIONERS

VS

MANGE RAM (DECEASED) THROUGH LRS JAI SINGH AND
ORS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Sudhanshu Makkar, Advocate
for the petitioners.

Mr.V.S.Punia, Advocate
for respondent Nos.1(a) to (d) & 2(a) to (d).

RAJ MOHAN SINGH, J. (ORAL)

Perusal of impugned order dated 10.12.2014 passed by Civil Judge (Junior Division), Charkhi Dadri shows that the order was passed on the premise that the petitioner-plaintiff has prayed for deletion of names of defendants from array of parties in the plaint in terms of Order 1 Rule 10 CPC. The trial Court appears to be not alive to the factual details given in the application dated 12.11.2014 wherein prayer was made for impleading the remaining defendants in the array/parties in the plaint. Of course, the pleadings contained in the application were also evasive inasmuch as that no details of persons

sought to be impleaded were given, but the order passed by the trial Court on the application was totally beyond the scope of application under Order 1 Rule 10 CPC.

Be that as it may, this revision petition is disposed of with liberty to the petitioner to move a fresh application under Order 1 Rule 10 CPC for impleading the necessary parties in the suit with necessary particulars. In the event of filing such an application, trial Court would be obligated to decide the same in accordance with law.

Disposed of.

(RAJ MOHAN SINGH)
JUDGE

September 09, 2016

jyoti Y.

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No