

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

Civil Revision No.1132 of 2016 (O&M)
Date of Decision: September 23rd, 2016

Rajbala

...Petitioner

Versus

Om Parkash & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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

Mr.Ankur Tyagi, Advocate &
Mr.Rajiv Saini, Advocate,
for respondent Nos.1 to 6.

AMIT RAWAL, J. (Oral)

This revision petition is arising out of the dismissal of the application filed by the petitioner under Order 1 Rule 10 CPC for impleading her as a defendant in the suit for possession being co-sharer.

I am of the view that the respondent-plaintiffs are *dominus litus*. In case the petitioner is found to be necessary party, the plaintiffs may implead him. They cannot be compelled to implead the petitioner being a co-sharer. The trial Court will examine whether the suit is maintainable or not on account of the proper or non-impleadment of the necessary party at the final stage, but not in the manner and mode as sought to be done by the petitioner.

For the foregoing reasons, I do not intend to differ with the findings rendered in the impugned order.

Revision petition stands dismissed.

September 23rd, 2016
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No