

Civil Revision No.1161 of 2016
Date of Decision: 16.2.2016

Surjit Singh and another

---Petitioners

versus

Swaran Singh and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Sarbjit Singh, Advocate
for the petitioners**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J.

The present petition lays challenge to order dated 7.12.2015 passed by the Additional Civil Judge (Senior Division), Sultanpur Lodhi whereby the application filed by respondent No. 11 under Order I rule 10 of the Code of Civil Procedure (in short "CPC") for impleading her as one of the defendants, has been allowed.

Counsel for the petitioners contends that respondents No. 11 has set up a sale deed purported to be executed in her favour during pendency of the suit, therefore, any sale in her favour would be hit by the principle of lis pendence and thus she is neither necessary nor a proper party in the proceedings.

I have heard counsel for the petitioners, perused the records and find no merit in the petition.

The controversy raised in the present petition is squarely covered by judgment of Hon'ble the Supreme Court of India **Thomson Press (India) Limited vs. Nanak Builders & Investors Private Limited and others 2013(2) R.C.R.(Civil) 875** in favour of the applicant/respondent No. 11, therefore, I do not find any error much less illegality in the impugned order as would call for intervention in exercise of jurisdiction under Article 227 of the Constitution of India.

Dismissed.

(Rekha Mittal)
Judge

16.2.2016
PARAMJIT