

**Sr. No. 228
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CR No.3698 of 2014
Date of decision 12.01.2016**

Kulwinder Kaur

Petitioner

Vs.

Sukhchain Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH DHALIWAL

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

Present: Mr. Vikas Mehsempuri, Advocate,
for the petitioner.

Mr. Manoj Dhiman, Advocate for
Mr. Vishal Aggarwal, Advocate,
for respondent No.1.

Mr. Manoj Kaushik, Advocate,
for respondent No.2.

Paramjeet Singh Dhaliwal, J. (Oral)

The instant civil revision has been filed for setting aside the order dated 12.03.2014, passed by Civil Judge (Senior Division), Patiala (Annexure P-11).

Brief facts of the case are that the respondent-plaintiff filed a suit for permanent injunction against Sukhchain Singh respondent-defendant with regard to the land which respondent-

plaintiff has taken on lease (theka) from respondent-defendant. It needs to be mentioned here that earlier Sukhchain Singh-defendant transferred the same land in favour of Kulwinder Kaur-petitioner. In a civil suit, admittedly, he has challenged the transfer deed in favour of Kulwinder Kaur and alleged that the said transfer deed is illegal, null and void. Respondent-plaintiff who claims to have taken the land on lease from the respondent-defendant, has filed the suit for permanent injunction restraining the defendant from interfering in his peaceful possession. He has not sought any declaration qua ownership. Therefore, the petitioner-applicant has no grievance as her right to claim ownership would not be affected. Therefore, the petitioner is not a necessary party. The Court below has rightly rejected her application. No ground to interfere in the impugned order.

Dismissed in limine.

12.01.2016*vandana***(PARAMJEET SINGH DHALIWAL)
JUDGE**