

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

**CR No. 4316 of 2016(O&M)
Decided on.11.08.2016.**

Ramdiya

.....Petitioner

Versus

Mohinder and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. M.S.Rana, Advocate
for the petitioner.

DARSHAN SINGH, J. (Oral)

The present revision petition has been preferred against the order dated 16.05.2016, passed by the learned Additional Civil Judge (Sr.Divn.), Kharkhoda, whereby the application filed by the petitioner under Order 1 Rule 10 read with Section 151 of the Civil Procedure Code, 1908 (for short "CPC") for being impleaded as a party to the suit has been dismissed.

2. In the application filed by the petitioner under Order 1 Rule 10 CPC, it is alleged that he being the son of Banwari son of Harphool son of Chainu son of Mamraj is having 50% of share in the property left by his ancestors. It is further mentioned in the application that he has already sold ½ share of the plots in dispute, meaning thereby the petitioner has already sold his entire share in the suit property and he has been left with no right, title or interest in the suit property after the sale of his ½ share.

Thus, he is neither a necessary nor the proper party to the present suit.

Thus, I do not find any illegality in the impugned order.

3. Accordingly, the revision petition is hereby dismissed.

11.08.2016

S.khan

(DARSHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No