

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

Civil Revision No.5943 of 2016
Date of decision: September 09, 2016

Rajinder Pal ...Petitioner

Versus

Karam Chand & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

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

Rajan Gupta, J.

Present revision petition is directed against the order dated 29.08.2016, passed by the trial court, whereby application filed by the petitioner U/O 1 Rule 10 read with Order 6 Rule 17 CPC has been dismissed.

Learned counsel for the petitioner has assailed the order. He urged that presence of Edward Ganj Public Welfare Association, Malout before the court is necessary, it being a co-sharer. According to counsel, non-impleadment of the said Welfare Association would lead to multiplicity of litigation.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

It appears, petitioner filed a suit for possession by partition as well as permanent injunction against the defendants way back in the year 2012. When suit was fixed for rebuttal evidence and arguments, petitioner filed the present application to implead Edward Ganj Public

Welfare Association, Malout as defendant in the suit. Said application has been dismissed by the trial court, vide order dated 29.8.2016. It appears, the amendment sought by the petitioner was well within his knowledge at the time of institution of the suit. Even otherwise, the suit is nearing culmination and is fixed for final arguments now. Prayer made at this stage for amendment and impleadment of another defendant, is misconceived. There is, thus, no scope for interference in revisional jurisdiction.

Dismissed.

(RAJAN GUPTA)
JUDGE

September 09, 2016
'Rajpal'

Whether speaking / reasoned	Yes / No
Whether Reportable:	Yes / No