

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.6216 of 2016

Date of Decision: September 21st, 2016

Jaggar Singh

...Petitioner

Versus

Nahar Singh & others

...Respondents

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

Present: Mr.Parveen Kumar Garg, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

Petitioner is aggrieved of the dismissal of the application filed under Order 1 Rule 10 CPC for impleading him as defendant in a suit titled as “Nahar Singh Versus Manjit Kaur” bearing No.207 dated 8.8.2013 on the ground that he is essential and necessary party for the property mentioned in the suit.

Mr.Parveen Kumar Garg, learned counsel for the petitioner submits that the land in dispute was sold by the petitioner and his brothers out of their land, measuring 1 kanal 12 marlas bearing Killa No.133//13 Min (1-12) to Jasvir Singh, Mukhtiar Singh, Lakhvir Singh, Avtar Singh, Kuldeep Singh sons of Sadhu Singh for a valuable consideration and the purchasers had raised construction of two shops, two rooms and first floor and thereafter they sold the land along with construction to Ranjit Kaur wife of Avtar Singh vide registered sale deed dated 24.11.2006 and since then Ranjit Kaur @ Manjit Kaur is in peaceful possession.

He further submits that the impleadment of the petitioner is

essential and necessary for the adjudication of the case as plaintiff wants to obtain the decree against him by misleading the Court and also intends to grab the land of the petitioner.

I have heard the learned counsel for the petitioner, appraised the paper book and of the view that once the petitioner is not owner of the property and parted with the title/divested of the same cannot seek the impleadment. In case of any grievance with regard to some demarcation report, he has a right to seek vindication of his grievance at an appropriate stage but not in the manner and mode as has been done.

No ground for interference is made out.

Revision petition stands dismissed.

September 21st, 2016
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No