

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

CWP No.16978 of 2016
Date of Decision:-22.08.2016

Parvesh Kumar Sharma

..... Petitioner

Vs.

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Ms,Jigyasa Tanwar, Advocate, for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed for setting aside the order dated 25.5.2016 (Annexure P-3) by which application filed by respondent No.3 has been allowed and she has been made as party.

Learned counsel for the petitioner has submitted that the petitioner had transferred the property in dispute to his son on 7.1.2016. The son got married on 13.2.2016 with respondent No.3 and transferred the property got through his father to her on 21.3.2016. The petitioner filed a petition under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 on 7.4.2016. During the pendency of that petition, respondent No.3, who is now the owner of the property in dispute by virtue of transfer by her husband, made an application to be impleaded as a party, which has been allowed on 25.5.2016. The said order is challenged in this petition on the ground that she is not a necessary party. It is contended by counsel for the petitioner that if respondent No.3 is allowed to be impleaded as a party, then it would be an unending process.

I have heard learned counsel for the petitioner and after considering the arguments raised, am of the considered opinion that there is no error in the impugned order because respondent No.3, in any case, is a necessary party because she is now the owner of the property in dispute after it had been transferred to her by her husband on 21.3.2016, on the strength of the transfer deed dated 7.1.2016 executed by his father (petitioner herein) in his favour.

In view thereof, I do not find any merit in the present petition and thus, the same is hereby dismissed.

22.08.2016	(RAKESH KUMAR JAIN)
<i>Vivek</i>	JUDGE
<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether non speaking</i>	<i>Yes/No</i>