

HON'BLE SRI JUSTICE S. V. BHATT

Civil Revision Petition No.3745 of 2017

ORDER:

Heard Mr. M. Ram Mohan, for petitioners.

2. The request of the petitioners to implead Mrs. S Sajidabi and Mrs. S Rokhabi, as defendants 8 and 9 in OS No.22 of 2012 was rejected by the learned trial Judge. Hence, the revision.

3. The revision petitioners filed the suit for declaration of title and also perpetual injunction. Now the case of the petitioners is that OS No.22 of 2012 in respect of the same subject matter is pending and with a view to having effective and comprehensive adjudication, the presence of proposed defendants is proper and necessary.

4. The trial court has given cogent and tenable reasons for rejecting the prayer of the petitioners herein to implead S Sajidabi and S Rokhabi, as defendants 8 and 9. After perusing the affidavit filed in IA No.291 of 2016, the timing of the present application and also the reasoning of the trial court, I am satisfied no ground for interference is made out.

5. The revision fails and is accordingly dismissed. After order is dictated, learned counsel Mr. Ram Mohan, submits that there can be a direction for joint trial of OS No.22 of 2012 with OS No.9 of 2013 at least to avoid conflicting views. As the scope of the present civil revision petition is limited, this court has no reason to doubt that if a request is made, in accordance with law, the trial court will consider and do the needful.

6. With the above observation, the civil revision petition is dismissed. No order as to costs. Pending miscellaneous petitions if any in this petition shall stand dismissed in consequence.

S. V. BHATT, J

Date: 02.08.2017
BSS

HON'BLE SRI JUSTICE S.V. BHATT

4

Civil Revision Petition No.3745 of 2017



Date: 02.08.2017

BSS