

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

121

CR No.2001 of 2017
Date of Decision:07.11.2017

Brij Lal Ahuja

...Petitioner

Versus

Pankaj Jain and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Abhimanyu Kalsy, Advocate
for the petitioner.

Mr. Rajan Bhargava, Advocate for
Mr. Vishal Aggarwal, Advocate
for respondent No.1.

ANIL KSHETARPAL, J.(Oral)

Petitioner filed an application for being impleaded as defendant No.3 in a suit filed by Pankaj Jain and Smt. Saru Jain against Municipal Corporation, Ludhiana. Petitioner-applicant claims to be agreement-holder of the property pursuant to agreements to sell dated 06.08.2010.

It is not in dispute that the petitioner-applicant has already filed a suit for specific performance of the agreement to sell, which is pending.

Pankaj Jain and Saru Jain had filed a suit against Municipal Corporation with a prayer that the property be entered in the Municipal records in their name. No relief has been sought against the applicant. The suit is simpliciter for correction of Municipal record. The enforceability of the agreement to sell is already in issue before the Court in a separate suit for specific performance of agreement to sell.

Since no relief is being sought against the petitioner and the petitioner being not party to the suit would not be bound by the judgment,

therefore, there is no ground to interfere with the order impugned before this Court.

Hence, this revision petition is dismissed.

07.11.2017
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes
Whether Reportable : No