

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

Civil Revision No.2918 of 2017

Date of decision: May 15, 2017

Christian Welfare Society through
its Chairman Ashok Kumar

...Petitioner

Versus

United Church of North India Trust
Association and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. S.S. Rana, Advocate for the petitioner.

Rajan Gupta, J.

Present revision petition is directed against the order dated 08.02.2017, passed by the trial court, whereby application moved by the petitioner for impleading Christian Welfare Society as defendant No.2 in the suit, has been rejected.

It has been urged before the court that presence of applicant/petitioner before the trial court is necessary as plaintiff along with defendant was trying to usurp the land, which belongs to the mission. According to him, suit land is situated in a prime locality. In case applicant is not impleaded in the array of parties, rightful owner may be deprived of same.

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

It appears, Managing Committee of respondent No.1 filed a suit for permanent injunction to restrain defendant from alienating, encroaching or creating any third party rights in the suit land. After notice was issued,

defendant filed its written statement. The case is now at the stage of defence evidence. The suit is only for injunction and not for deciding title/ ownership of parties to the suit. Counsel for the petitioner has not been able to show how applicant Society is a necessary party for just adjudication of the case. The trial court has, thus, rightly rejected the plea. I find no ground to interfere in revisional jurisdiction.

Dismissed.

(RAJAN GUPTA)
JUDGE

May 15, 2017
'Rajpal'

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