

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

CR-3723-2017

Date of decision: 03.08.2017

Parmod Kumar

...Petitioner

Versus

Harish Chand and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ashok Kaushik, Advocate,
for the petitioner.

Ritu Bahri, J.

Challenge in this petition is to the order dated 01.05.2017 (Annexure P-2) passed by the Civil Judge (Junior Division), Hodal, whereby application filed by the petitioner under Order 1 Rule 10 CPC has been dismissed.

Grievance of the petitioner is that he and defendants (defendant Nos.2 and 3) are joint owners of the land in dispute and some portion in his possession has been sold by the defendants. Partition of the land has not been taken place so far. Application for impleading the petitioner as necessary party has been filed at the stage of rebuttal evidence. In the suit, plaintiff (respondent No.1) has to prove execution of the agreement to sell.

At this stage, the present petition is disposed of by giving liberty to the petitioner to seek partition of the land in dispute in accordance with law, if so advised.

03.08.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No