

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

Civil Revision No.5539 of 2016
Date of decision: May 15, 2017

Shashi Chopra & others ...Petitioners

Versus

Navneet Mehta & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vishal Gupta, Advocate for the petitioners.
Mr. Harsh Manocha, Advocate for respondent No.1.

Rajan Gupta, J.

Present revision petition is directed against the order dated 16.08.2016, passed by the trial court, whereby application filed by the petitioners under Order 1 Rule 10 CPC has been dismissed.

Learned counsel for the petitioners has assailed the order. According to him, petitioners are bonafide purchasers of the property in question and their rights are involved in the case. Thus, applicant/ petitioners are necessary party in the suit.

Plea has been opposed by counsel appearing for respondent No.1. According to him, application is not maintainable as the same had been filed by the petitioners just to delay proceedings of the suit.

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

It appears, respondent No.1 Navneet Mehta filed a suit for declaration with consequential relief of permanent injunction against other respondents claiming that he along with defendants No.1 to 9 are joint owners in possession of the suit property as per their shares. He also challenged certain sale deeds executed by the defendants. During pendency of the suit, applicant/petitioners filed instant application under Order 1 Rule 10 CPC for impleading them as party to the suit, on the ground that they had purchased four shops out of the suit properties, thus they deserved to be impleaded as party defendants in the suit. Keeping in view the facts and circumstances of the case, the trial court dismissed the application, as it felt that petitioners were not entitled to be impleaded as party to the suit. I find no infirmity with the order passed. I am of the considered view that the court below has not committed any error in dismissing the application filed by the petitioners. It appears, suit is pending since 2005. Some defendants were subsequently added. It is not necessary to implead each and every vendee as party to the suit. There is, thus, no scope for interference in revisional jurisdiction.

Dismissed.

(RAJAN GUPTA)
JUDGE

May 15, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No