

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R. No. 6641 of 2015

Date of decision:- 09.08.2017

Tej Kaur

...Petitioner

Versus

Gram Panchayat Gadhram Kalan and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Ms. Amanpreet Kaur, Advocate for
Mr. H.N.S Gill, Advocate
for the petitioner.

Mr. Sukhwinder Singh, Advocate
for respondent No. 1

Mr. Deepak Bhardwaj, Advocate
for respondent Nos. 2 to 4.

RITU BAHRI J. (Oral)

This petition under Article 227 of the Constitution of India is for setting aside order dated 18.08.2015 (Annexure P-5) passed by the learned Civil Judge (Jr. Divn.) Ropar, whereby the application under Order 1 Rule 10 CPC filed by Joginder Singh, Gurnam Singh and Jaspal Singh has been allowed.

A bare perusal of the impugned order shows that a suit has been filed by the present petitioner against Gram Panchayat to the effect that order dated 21.03.1997 passed by the Court of BDPO, Ropar in case titled as Gram Panchayat vs. Tej Kaur and others is wrong, illegal, null and void and in the alternative for restraining Gram Panchayat from interfering into peaceful possession of the plaintiff/petitioner over the suit property.

Learned counsel for respondent Nos. 2 to 4 states that the above

said order was passed way back in the year 1997 and against that order, the petitioner has filed revision before the Commission and CWP No. 17629-1998 before this Court, which were dismissed and thus the above said order had attained finality.

Learned counsel for respondent Nos. 2 to 4 has further referred to application filed by them under Order 1 Rule 10 CPC for impleading them as a party in the suit wherein details of the earlier suits filed by the petitioner i.e Civil Suit No. 147-2000 and 59-2003 have been given, which were dismissed and the petitioner was held to be in illegal possession over the suit property.

In view of the above factual position, the applicants have rightly been impleaded as party in the suit filed by the petitioner.

No ground is made out to interfere in the order dated 18.08.2015 (Annexure P-5) passed by the learned Civil Judge (Jr. Divn.) Ropar.

Dismissed.

August 09, 2017
G Arora

(***RITU BAHRI***)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No