

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

Civil Revision No.6371 of 2014

Date of decision: May 01, 2017

Tarlochan Singh

...Petitioner

Versus

Tejpal Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sahil Khunger, Advocate for the petitioner.

Mr. Raman Goklaney, Advocate for respondent No.1.

Ms. Kavita Arora, Advocate for respondent No.2.

Rajan Gupta, J.(oral)

Present revision petition is directed against the order passed by the court below, whereby application filed by the plaintiff/respondent No.1 for impleading Desraj Dhamija and his wife Smt. Harish Kumari as defendants No.6 & 7.

Order has been challenged before this court on the ground that at belated stage, application has been erroneously allowed by the court below. Learned counsel for the petitioner further submits that the order is unsustainable in law.

Learned counsel appearing for respondent No.1, however, opposes the prayer. According to him, order of the trial court suffers from no infirmity.

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

It appears, plaintiff challenged sale deed dated 26.2.1990 executed by defendant No.1 in favour of defendant No.2, who further sold the property to subsequent vendors. During the pendency of the suit, another application was moved for impleading defendants namely, Desraj Dhamija and Harish Kumari in the array of parties as it was stated that they had a better title to the property in question. Keeping in view facts and circumstances of the case, trial court allowed the application for impleadment, as it felt that presence of defendants No.6 and 7 before the court was necessary to enable it to completely and effectively adjudicate upon the issues. Admittedly, trial has made much headway and is at the stage of culmination.

I find no infirmity with the order passed by the trial court. Order has been passed within the parameters laid down under Order 1 Rule 10 CPC. The revision petition is, thus, without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

May 01, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No