

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

CR 6292/2017(O&M)

Date of decision:15.09.2017

Rajesh Kumar and others

.....Applicants

v.

M/s Khushi minor through her mother and others

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Karan Singh Gill,Advocate for the petitioners.

Jaswant Singh,J,(Oral).

Petitioners moved an application under Order 1 Rule 10 CPC in a petition under Section 13 of the East Punjab Urban Rent Restriction Act,1949 for being impleaded as necessary parties being the legal representatives of Santosh Kumari the original owner/landlord of demised shop situated on Ground Floor of SCF 9-A,Improvement Trust Building, Patel Chowk,Pathankot. The said application was dismissed by learned Rent Controller,Pathankot vide order dated 30.8.2017. Hence the present revision petition.

Heard learned counsel for the applicants/petitioners.

The learned Rent Controller on perusal of the file has found that the eviction application had been filed by Khushi claiming herself to be landlord after the property was alleged to have devolved upon her by virtue of a Will dated 10.10.2013 executed by deceased owner of the property Santosh Kumari and that there appeared to be a dispute regarding the title of

the property in between the parties and the same was to be adjudicated in a regular suit and could not be settled in a rent petition. While dismissing the application, it was observed that the applicants were at liberty to take any other step to establish their right, title or interest in premises in dispute after impleading property parties. The learned Rent Controller has rightly dismissed the application of the petitioners seeking their impleadment in a rent petition to avoid conversion of the same into a petition for determination of the title.

Dismissed.

15.09.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No