

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

Civil Revision No.7226 of 2015 (O&M)
Date of decision: February 14, 2017

Gurpreet Singh & others ...Petitioners

Versus

Kulwant Singh & another ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Brijeshwar Singh Bhalla, Advocate for the petitioners.

Mr. N.K. Manchanda, Advocate for the respondents.

Rajan Gupta, J.(oral)

Challenge in the present revision petition is to order dated 17.10.2015, passed by the trial court, whereby application filed by the petitioners for their impleadment as legal representatives of Sukhdev Singh, has been dismissed.

Suit was instituted by Gurdial Kaur seeking a decree for declaration that she was owner in joint possession of the suit land on the basis of Will dated 15.6.1977. A counter claim was filed by defendant namely, Kulwant Singh claiming that he was owner in possession of land as described in the plaint. During the pendency of proceedings, an application was moved by one Sukhdev Singh claiming that he also had share in the property on the basis of Will dated 06.01.2011 executed by Gurdial Kaur. However, Sukhdev Singh died before he could be impleaded as a party. Thereafter, instant application was moved by certain persons, who claimed to be legal heirs of Sukhdev Singh. They sought their impleadment in the

suit on the basis of the Will. Application has been dismissed by the court below observing that as Sukhdev Singh was never made a party to the suit, his legal representatives could not be brought on record. I find no infirmity with the order. There is no ground to interfere in revision jurisdiction.

Dismissed.

(RAJAN GUPTA)
JUDGE

February 14, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No