

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 387 of 2018

1. Smt. Jaspal Kaur W/o Late Shri Palvinder Singh Aged About 52 Years R/o H. No. D- 89, Agroha Society Raipur District Raipur Chhattisgarh.
2. Smt. Sapna Jain W/o Shri Manoj Jain Aged About 38 Years R/o B - 301, Tirupati Apartment , Panchpedinaka Raipur District Raipur Chhattisgarh.
3. M/s Balaji Buildcon Registered Partnership Firm , Address - Plot No. A - 08, Near D. D. Nagar Police Station Agroha Society Raipur District Raipur Chhattisgarh.
4. Harpreet Kaur , D/o Late Shri Palvinder Singh Gill , Aged About 28 Years R/o H. No. D - 8 - 9, Agroha Society , Raipur District Raipur Chhattisgarh. Note - Though The Defendant No. 4 has been impleaded in the court below , but in the cause title of the impugned order , the details of the defendant No. 4 have not been mentioned in spite of the fact the impugned order has been passed on the application of the defendant No. 4 .

---- Petitioners

Versus

Rajendra Kumar Jain S/o Shri B R Jain Aged About 51 Years R/o Flat No. 101, Paswanath Apartment Choubey Colony Raipur District Raipur Chhattisgarh. Presently Residing At Shop No. 311, 3rd Floor, National Corporate Park, G. E. Road Raipur District Raipur Chhattisgarh.

---- Respondent

For petitioners - Shri Vivek Kumar Agrawal, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

1/05/2018

Heard.

1. Instant petition is against the order dated 9/04/2018 wherein an application under Order 1 Rule 10 of CPC was dismissed wherein petitioner wanted to implead Registrar, Firms and Societies as defendant.
2. Learned counsel for the petitioners submits that Registrar, Firms and Societies has allowed operation of partnership firm and therefore it would be necessary party as inter-se dispute are in between the partners.
3. The relief claimed by the petitioners is completely misconceived.

Registrar, Firms and Societies being statutory authority has exercised its power vested in it under the law. Therefore, if certain documents which are in possession of the Registrar, Firms and Societies are required to be proved, petitioner can very well lead evidence by placing necessary documents before court. Registrar Firms and Societies being statutory authority cannot be impleaded in a civil suit for prayer made of like nature. Petition is completely misconceived and has no merit. Accordingly, it is dismissed at the motion stage.

Sd/-

(Goutam Bhaduri)

JUDGE