

HON'BLE SRI JUSTICE S.V. BHATT

C.R.P.No.5023 OF 2011

ORDER:

Heard Mr.S.R.Mahajir for petitioner and S.Nyaya Murthy for respondent No.1.

Defendant No.1 in O.S.No.2443 of 2010 in the Court of the XIX-Junior Civil Judge, City Civil Court, Hyderabad is the revision petitioner. The revision petitioner filed I.A.No.15 of 2011 under Order I Rule 10 of CPC seeking impleadment of proposed respondent i.e., the A.P. State Wakf Board, represented by its Chief Executive Officer, Razzack Manzil, Nampally, Hyderabad as defendant No.3 in the suit.

The averments, in brief, for impleading the proposed respondent are that the plaintiff admitted in the plaint that the suit property is a Dargah, which is a wakf property. The 1st respondent/plaintiff opposed the prayer of revision petitioner stating that the suit property is a private property and the wakf board does not hold any rights over the suit property.

The learned trial Judge rejected the prayer of petitioner observing that the A.P.State Wakf Board is not a necessary party to the suit to decide the controversy. Hence, the revision.

I have perused the record. The trial Court has rightly dismissed the application filed by the petitioner. This Court is in agreement with the reasons stated by the trial Court. No ground warranting interference under Article 227 of the Constitution of India is made out.

Revision fails and is, accordingly, dismissed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, stands closed.

S.V.BHATT, J

17th August, 2018
Lrkm