

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

CR-2627-2017 (O&M)

Date of decision : 15.2.2018

Shamsher Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ramesh Kumar Dhaniya, Advocate for the petitioner.

Mr. S.S. Sahu, Advocate for respondent No. 3.

Mr. Ashwini Kumar Saini, DAG, Haryana.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Heard.

Impugned in the present revision petition is the order dated 3.3.2017, (Annexure P-2) passed by learned Civil Judge (Junior Division), Fatehabad vide which in an application filed by applicant/respondent No. 3- Sandeep Son of Sant Lal was allowed to be impleaded as defendant under Order 1 Rule 10 read with Section 151 of the Code of Civil Procedure, 1908.

It comes out that controversy involved in the suit is to challenge the notice issued by the Deputy Commissioner, Fatehabad. Plaintiff had won the election for the post of Sarpanch, Gram Panchayat, Village Baijalpur, which according to the applicant- Sandeep has been obtained on the basis of fake certificate. Applicant-Sandeep was runner up in the election.

After going through the impugned order dated 3.3.2017 (Anenxure P-2), passed by learned Civil Judge (Junior Division), Fatehabad, I am of the view that if the election of the plaintiff is set aside, then the present applicant- Sandeep being runner up will succeed, therefore, he is a necessary party.

Consequently, I do not find any illegality or infirmity in the impugned order dated 3.3.2017 (Anenxure P-2), passed by learned Civil Judge (Junior Division), Fatehabad. As such, present revision petition is dismissed accordingly.

(KULDIP SINGH)
JUDGE

15.2.2018
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Whether speaking / reasoned	Yes
Whether Reportable:	No