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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 477 of 2018 (O/M)
Date of decision : 24.1.2018

Sardara Singh (since deceased) through his LR Petitioner

Versus

Nachhattar Singh (since deceased) through his LR and others

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Gurcharan Dass, Advocate, for petitioner.

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 ?
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KULDIP SINGH J. (ORAL)

CM-1429-CII-2016

An application has been filed for impleading LR of Jawala Singh (respondent No. 10).

For the reasons mentioned in the application, application is allowed. LR of Jawala Singh mentioned in para 2 of application is allowed to be brought on record.

Application is disposed of.

Main case

The petitioner is aggrieved by the order dated 16.9.2017 (Annexure-P-3), passed by learned Civil Judge (Senior Division), Ludhiana, vide which an application filed by respondents No. 1 to 6 to become party in the execution proceedings, was allowed on the ground that they had purchased some share from the decree holders.

The learned counsel for petitioner contends that there is no

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revenue record of the village and that fraud is being played in with the connivance of revenue authorities, who certified the sale. Therefore, applicants could not be made party in the absence of any sale deed.

I am of the view that if one of the parties claim that he had purchased some share, he will step into the shoes of decree holders subject to the rights/objections, which may be raised by JD/co-owners or parties. However, on account of fact that there is no revenue record, the request to become party cannot be declined, particularly when decree holders do not claim that they had not sold their share to applicants. Instant revision is dismissed.

(KULDIP SINGH)
JUDGE

24.1.2018
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No