

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CR No.6109 of 2015 (O&M)

Date of decision: 20.04.2018

Ajad and another

..... Petitioners

Versus

Daya Ram and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Jai Singh Yadav, Advocate
for the petitioners.

Mr. Rakesh Dhiman, Advocate
for respondent No.1.

ANIL KSHETARPAL, J. (ORAL)

Applicants had filed an application under Order 1 Rule 10, CPC for impleading them as party defendant in a suit for possession by way of specific performance of agreement to sell and for permanent injunction pending before the Court.

Plaintiff had claimed that he has purchased the disputed property through three different sale deeds dated 21.05.1988 and 25.06.1987. Learned trial Court dismissed the application on the ground that the copies of the sale deeds have not been produced on the file. This order was challenged before this Court.

During the pendency of the revision petition, copies of the sale deeds have been produced on the file of this revision petition. On the other hand, learned counsel for the respondent has also produced certain documents to prove that the property which was purchased by the

applicants-petitioners has already been auctioned and the title does not vest with the petitioners.

It is not disputed that neither the copies of the sale deeds were produced before the trial Court nor the documents which are sought to be produced by the respondent, were before the Courts below.

Taking into consideration the aforesaid facts, this Court is of the considered view that since certain additional documents have been filed, the learned trial Court should re-decide the application under Order 1 Rule 10, CPC after examining the effect of the aforesaid document produced or sought to be produced, within a period of one month, from the date of receipt of a certified copy of this order.

Revision petition is disposed of.

20.04.2018
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No