

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR 7271-2016 (O&M)
Date of decision: 01.02.2018

Gurkirpal Singh

.....Petitioner

versus

Shamshere Singh and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Petitioner in person
Mr.Abhinav Gupta, Advocate for the respondent no.1
Mr.Ashok Kumar Bazaz, Advocate for the respondent no.2

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Impugned in the present revision is the order dated 19.9.2016, passed by learned Civil Judge (Senior Division), Ludhiana, vide which, in a pending application filed by the plaintiff under Order XXXIX Rule 2A read with Section 151 CPC an application to implead Kamaljit Kaur as party was dismissed.

I have heard petitioner in person and counsel for the respondents and have also gone through the written submissions made by the petitioner.

It comes out that the original suit for permanent injunction and mandatory injunction was filed against Shamsher Singh and Municipal Corporation Ludhiana. Whatever injunction was granted, it was against the defendants only. Now, in the application Order 39 Rule 2A CPC, which is basically for disobedience of order of the Court, Kamaljit Kaur is sought to

be added as party. Since, no order was passed against Kamaljit Kaur, therefore, she was not bound by the order passed in the said case and could not be made as party in the application for breach of the stay order passed by the Court. The case is already at the argument stage. There is no illegality or infirmity in the impugned order.

Resultantly, the present revision petition stands dismissed.

01.02.2018

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned: Yes

Whether Reportable: No