

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.1401 of 2019(O&M)
Date of Decision: 27.02.2019

Satbir Singh and anotherPetitioners

Versus

Roshni Devi and othersRespondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Vikram Sharma, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

[1]. Application under Order 1 Rule 10 read with Section 151 CPC filed by the petitioners for impleading themselves as party defendants in the suit was dismissed.

[2]. Plaintiff filed a suit for partition of land measuring killa No.33/6/4 (0K-3M), 6/1 (6K-16M) and 32/27 (0K-7M) comprised in khewat No.130. The case set up by the petitioner is that they have purchased the land comprised in killa No.33//7/1/2 and 33//15/1.

[3]. The area purchased by the petitioners is distinct and they are not co-sharers in the land for which the suit for partition was filed by the petitioners. Petitioners have nothing to do with

the suit land which is subject matter of partition and therefore, they are not necessary to be impleaded as party defendants in the suit. Plaintiffs are the masters of their own case being *dominus litis* and they cannot be compelled to litigate with someone with whom they do not wish to fight.

[4]. In view of above, no indulgence can be granted in the impugned order passed by the trial Court. This revision petition is accordingly dismissed.

27.02.2019

Prince

**(RAJ MOHAN SINGH)
JUDGE**

**Whether reasoned/speaking
Whether reportable**

**Yes/No
Yes/No**