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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
10/04/2019 13:10
I attest to the accuracy and
authenticity of this document

CR-2125-2019 (O/M)
Date of decision : 2.4.2019

Dalel and another Petitioner (s)
Versus
Deepo Devi and others Respondent (s)

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. P.S. Saini, Advocate,
for petitioners.
-.- -.-

KULDIP SINGH, J. (ORAL)

Heard. In a suit for possession, filed against sons of Lachha Ram, plaintiffs-respondents filed an application under Order I Rule 10 CPC before trial Court, to implead Lachha Ram as party, on the ground that he is in possession of disputed property. In the written statement itself, defendants-petitioners had taken stand that Lachha Ram is in possession of disputed property and constructed house thereon.

The plea of learned counsel for petitioners is that after availing twelve opportunities, this amendment was moved, as a result of which rights of defendants-petitioners have been taken away as on account of non joinder of necessary party, suit would have failed. There is apparent mistake on part of plaintiffs to move the application at later stage, for which cost of Rs. 3,000/- has already been imposed.

I am of the view that Lachha Ram is necessary party. Therefore, there is no illegality or infirmity in impugned order. For the delay in filing the application at late stage, cost of Rs. 3,000/- has already been imposed by trial Court. Thus, revision petition is dismissed.

(KULDIP SINGH)
JUDGE

2.4.2019
sjks

Whether speaking order	:	Yes	/	No
Whether reportable	:	Yes	/	No