

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-2998-2019 (O&M)
Date of decision: 08.05.2019

Dipesh Gaur

...Petitioner

Versus

Oriental Bank of Commerce

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Ashok Aggarwal, Advocate
for the petitioner.

H.S. MADAAN, J. (Oral)

This revision petition is directed against order dated 07.02.2019, passed by Civil Judge (Jr. Divn.) Faridabad, vide which, in a suit for recovery filed by plaintiff-Oriental Bank of Commerce, Branch Office, Faridabad against defendant-Dipesh Gaur, the application under Order 1 Rule 10 CPC moved by the latter for impleading M/s Technomatic Automotive Components Pvt. Ltd. Company, Faridabad and its Directors and authorized signatories has been dismissed.

I have gone through the impugned order, which is well reasoned, based upon proper appraisal and appreciation of legal and factual position. Even otherwise, the petitioner is master of the suit filed by it and no person can be arrayed as a defendant against its wishes, unless, the person sought to be impleaded as a party, is found to be necessary and essential. Here, M/s Technomatic Automotive Components

Pvt. Ltd. Company, Faridabad, is not found to be necessary party for the complete and effective adjudication of the controversy between the parties to the suit. Merely because the applicant/defendant has certain grouse against the company for not supplying the machinery, for which the loan was raised, within time, is no ground to add it as party as a defendant in the suit. As rightly observed by the trial Court that dispute is between applicant/defendant and the said company, for which the defendant can take separate action against it. There being no merit in the revision petition, the same stands dismissed.

08.05.2019

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(H.S. MADAAN)
JUDGE

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