

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

CR-5321-2019

Date of Decision: 02.09.2019

Smt. Kela and others

..... Petitioners

Versus

Mohinder and others

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Mani Ram Verma, Advcoate
for the petitioners.

SUDIP AHLUWALIA J. (ORAL)

1. This revision petition has been preferred against the order passed by the Ld. Civil Judge (Jr. Divn.), Bahadurgarh on 06.07.2019. Vide the impugned order the application of the petitioners under Order 1 Rule 10 of the C.P.C (Annexure P-I) dated 19.07.2018 was dismissed.

2. The suit was filed by the respondents No.1 and 2 against respondent No.3 seeking a permanent injunction in terms of Section 38 of the Specific Relief Act, in respect of what was claimed to be “Rasta Sare Aam” being part and partial of Khasra No.450. The petitioners claim to be the adjacent land owners and, therefore, contend that they have their own interest in the said land for their ingress and egress.

3. The application was opposed on behalf of the respondents whose contention was that the land in question was Shamlet Deh and they had proprietary rights in the same.

4. After considering the impugned order and the context in which the petitioners wanted to be impleaded as parties in the suit, this Court finds that they have no locus standi to be added as such parties, as no relief against the present petitioners was claimed by the plaintiffs-respondents.

If they do have any independent cause of action on account of their alleged claim in the disputed land, they are always at liberty to file their own independent proceedings, in accordance with law. But mere pendency of proceedings between another set of litigants, in itself is no ground for the petitioners to join those proceedings in the absence of any specific claim qua their independent right in the disputed property.

5. Dismissed.

02.09.2019

Ali

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No