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

**Civil Revision No.5004 of 2019 (O&M)
Date of Decision: 22.08.2019**

**Brooke Hospital for Animals, United Kingdom Thr Attorney
HolderPetitioner**

Vs

**Suresh Kumar and another
....Respondents**

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Vijay, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.

[1]. Petitioner has preferred this revision petition against the order dated 19.07.2019 passed by the Civil Judge (Jr. Divn.) Sohna, Gurugram whereby the application filed by the petitioner under Order 1 Rule 10 read with Section 151 CPC for impleading itself as party defendant in the suit was dismissed.

[2]. Perusal of the record would show that a suit for permanent injunction was filed by the plaintiff/respondent No.1 against defendant/respondent No.2. Permanent injunction was sought seeking to restrain defendant/respondent No.2 from interfering in the possession of the plaintiff and from taking forcible possession of the land in question.

[3]. Plaintiff is master of his own case being *dominus litus*. Right to file suit for permanent injunction is a right in *personam* and the same cannot be extended to any such person against whom plaintiff does not wish to contest the suit. Petitioner cannot impose itself on the plaintiff to compel him to contest against it particularly, when no relief is claimed by the plaintiff against the petitioner. Petitioner if at all aggrieved by any violation of its right in respect of suit property, would be at liberty to file a separate suit for declaration in respect of property in question or any other suit in accordance with law.

[4]. In view of above, I do not intend to interfere in the impugned order passed by the trial Court. This revision petition is accordingly dismissed.

August 22, 2019

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No