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

**Civil Revision No.7316 of 2019 (O&M)
Date of Decision: 20.11.2019**

OM KANWAR

.....Petitioner

Vs

RESHMA DEVI AND ANOTHER

....Respondents

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

Present: Mr. Pritam Saini, Advocate
for the petitioner.

Mr. Surender Saini, Advocate
for the caveators/respondents.

RAJ MOHAN SINGH, J. (Oral)

[1]. This revision petition has been preferred against the order dated 06.11.2019 passed by the Addl. Civil Judge (Sr. Divn.) Gohana vide which the application under Order 1 Rule 10 read with Section 151 CPC and Order 6 Rule 17 read with Section 151 CPC was dismissed.

[2]. Perusal of the record would show that the written statement was filed on 14.08.2015. As per para No.6 of the written statement, there was recital in respect of sales effected on prior occasions. Thereafter plaintiff concluded his evidence and so as the defendants. The case has already been argued in

part on two occasions. At this juncture, a joint application has been filed under Order 1 Rule 10 read with Section 151 CPC and Order 6 Rule 17 read with Section 151 CPC .

[3]. Evidently, there is no pleading in respect of sales which are sought to be highlighted on record by way of impleading the vendees. Neither there are pleadings, nor any evidence in respect of sales in question have come forth on record.

[4]. It is true that the Court will become *functus officio* only after pronouncement of the judgment, but keeping in view the material omission done by the plaintiff and the case has already reached the stage of part arguments, it would not be in the fitness of things to grant indulgence at this stage by allowing the impleadment of the subsequent vendees on record.

[5]. In view of aforesaid, this revision petition is dismissed.

November 20, 2019

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No