

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

118

CR No.189 of 2020

Date of decision : 06.03.2020.

Devender Singh

... Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Bhupender Singh Ghangas, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

The petitioner/plaintiff has challenged the order dated 13.09.2019 passed by the trial Court whereby the application under Order 1 Rule 10 CPC preferred by respondent No.5 for her impleadment as a defendant has been allowed.

Learned counsel for the petitioner contends that respondent No.5 does not have any interest in the property and therefore, her impleadment was not necessary.

Heard.

It is evident from the material on record that the petitioner had filed a suit for permanent injunction restraining the defendants from dispossessing him over the property in dispute and for cancellation of mutations No.13432 and 13433. The suit land is stated to have been purchased by the brother of the petitioner/plaintiff vide sale deed dated 28.02.1997 and after the family settlement, the land fell in the share of the petitioner/plaintiff. Accordingly, the mutation was entered in his favour on 12.03.2018. The case

set up by respondent No.5 was that she had purchased the land vide the sale deed executed on 28.03.1994. She had also filed an application for entering mutation in her name on 23.04.2018 which was pending before the revenue authority.

In view of the above especially when respondent No.5 had pleaded that she was the owner of the suit land in terms of the sale deed, the impugned order impleading her as defendant No.5 does not appear to be illegal which would warrant interference while exercising revisional jurisdiction.

Consequently, the petition stands dismissed.

However, it is clarified that nothing which has been observed hereinbefore shall have any bearing on the merits of the case.

(ANUPINDER SINGH GREWAL)
JUDGE

March 06, 2020
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No