

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

210

CR-233-2020 (O&M)

Date of decision: 27.04.2021

RAVINDER KUMAR DHANUKA

...Petitioner

Versus

JAGTAR SINGH

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr. KC Bhatia, Advocate for the petitioner.

ANIL KSHETARPAL, J. (Oral)

The petitioner-defendant has assailed the correctness of an order passed by the learned Trial Court permitting the plaintiff to amend the plaint and implead the petitioner's son Swetendu Sard as a party in the pending suit.

The plaintiff has filed a suit for possession by way of specific performance of contract/agreement to sell dated 26.01.2013/16.04.2014. It is alleged that as per the agreement to sell, the defendant-petitioner agreed to sell a piece of agricultural land as well as a house situated within the abadi of Ellenabad. During the pendency of the suit, the plaintiff moved an application for permission to amend the plaint as well as to implead Swetendu Sard and Kamal Kedia as parties to the suit. Learned Trial Court partly allowed the application and permitted the plaintiff to amend the plaint and implead Swetendu Sard as a party-defendant.

Learned counsel for the petitioner contends that the petitioner

execution of the agreement to sell. He, hence, contends that he has wrongly been allowed to be impleaded as a party.

After having considered the argument, this Court is of the considered view that there is no substance in the present revision. The suit for specific performance of the agreement to sell is with respect to a piece of agricultural land and a residential house. No doubt, it is the case of the petitioner that the details of the house have not been given in the agreement, however, that question can only be decided after the parties have led evidence. At this stage, the Court has only impleaded Swetendu Sard as a party-defendant and consequently permitted the plaintiff to amend the plaint. Hence, no ground to interfere in the order impugned is made out.

Dismissed.

27.04.2021
ashok

(ANIL KSHETARPAL)
JUDGE

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