

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

104

CR-6271 of 2016(O&M)
Date of Order: 23.05.2022

Ram Babu

..Petitioner

Versus

Smt. Santosh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Suman Jain, Advocate, for the petitioner.

Mr. Arun Sharma, Advocate,
for Mr. Sanjiv Gupta, Advocate
for respondent no.1 to 4 and LRs of respondent no.5

Mr. Chanderhas Yadav, Advocate,
for respondent no.6.

ANIL KSHETARPAL, J(Oral)

The petitioner assails the correctness of the order passed by the court while impleading defendant no.8, as party defendant . He also assails the correctness of the interim order passed by the trial court on 14.07.2016 which reads as under:-

“Written statement and reply to injunction application on behalf of defendant no.8 filed. Copy supplied. Now, to come upon 20.07.2016 for recording the statement of defendant no.1. Whether he wants to cross-examine the PWs and DWs.”

The learned counsel representing the petitioner admits that in view of the judgment passed by the Supreme Court in **Thomson Press (India) Ltd. vs. Nanak Builders & Investors P. Ltd. and others, (2013) 5, SCC 397**, he does not wish to press the revision petition qua challenge to the impleadment of defendant no.8 as party. However, he submits that defendant no.8 has no right to cross-examine the witnesses. The interim

order passed by the Court has only given option to defendant no.8, to express his wishes. Furthermore, once defendant no.8 has been impleaded, he has to be given an opportunity to defend the suit.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

May 23, 2022

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(ANIL KSHETARPAL)
JUDGE

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