

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-756 of 2018(O&M)
Date of decision: 05.08.2022

Shri Guru Granth Sahib, Mukam Sunam Patti, Patiala

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. H.S.Dhandi, Advocate,
for the petitioner.

Mr. Nikhil Chopra, Addl.A.G., Punjab.

Mr. S.S.Swaich, Advocate,
for respondent no.2.

ANIL KSHETARPAL, J(Oral)

An application filed by respondent no.2 and 3 for their impleadment as party in a pending suit, filed by the petitioner for grant of decree of permanent injunction against the State of Punjab has been allowed.

Respondent no.2 and 3 claim to be the manager of the religious organization. They also claim that, in fact, Baba Baldev Singh, Jathedar Harcharan Singh, Baba Subeg Singh and Baba Anup Singh have no right, title or interest in the property and they are not the managers of the religious organization. They also claim that the property vests in Dera Udasi and the plaintiff by filing the suit through its representative wants to create evidence.

The present suit is only for grant of decree of permanent injunction against the State of Punjab. It will not be appropriate to decide the inter-se dispute with regard to the management of the religious property

in this suit. Respondent no.2 and 3 can always file an independent suit. The plaintiff is dominus litis (master of the suit). In such circumstance, the trial Court has erred in allowing the application to implead respondent no.2 and 3 as the party- defendants.

Hence, the order under challenge is set aside with liberty to respondent no.2 and 3, to file an independent suit, if so advised.

The revision petition is allowed.

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

August 05, 2022

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(ANIL KSHETARPAL)
JUDGE

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