

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

1.CR-1310-2020

Parveen Kumar and another

...Petitioners

Versus

Krishan Chand Sharma(since deceased) through his L.Rs and others

..Respondents

2.CR-1781-2020

Surekha Rani

...Petitioner

Versus

Krishan Chand Sharma(since deceased) through his L.Rs and others

..Respondents

Date of decision: 02.05.2022

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Lupil Gupta, Advocate for the petitioners
 Mr. Rajinder Singh Mann and
 Mr. Harmandeep Mann, Advocates for L.Rs of
 respondent no.1
 Ms.Sandeeptha Mehta, Advocate for respondent no.7 to 9

ANIL KSHETARPAL, J (Oral)

By this order, two revision petitions i.e CR-1310-2020 and
CR-1781-2020, involving identical question, shall stand disposed of.

An application filed by the petitioners under Order 1 Rule
10 (2) of Code of Civil Procedure, 1908, has been dismissed by the trial
court. The petitioners claim that they have purchased the property from
Bahadur Singh during the pendency of the suit. Their application was
dismissed after noticing that a previous application filed by Bahadur
Singh has already been dismissed vide order dated 08.11.2016 with the
observation that Bahadur Singh had no right, title or interest in the
property.

Heard learned counsel representing the parties at length. Learned counsel representing the petitioners contends that the petitioners are bona fide purchasers of the property, therefore, they are necessary parties to the suit. In the considered opinion of the Court, the petitioners are, first of all, required to prove the title of their vendor. Furthermore, it is not in dispute that the application filed by the predecessor-in-interest of the petitioners has already been dismissed.

Keeping in view the aforesaid facts, the petitioners, if so advised, may avail their independent remedy.

With these observations, no ground to interfere with the order passed is made out.

Hence, dismissed.

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

02.05.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE