

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

CR-1784-2020 (O&M)
Date of decision: 07.12.2022

Harkesh Pajni

....Petitioner

Versus

Harbans Lal (since deceased) through Lrs and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None

ANIL KSHETARPAL, J (Oral)

Case has been called out thrice. Learned counsel representing the petitioner did not come forward to assist the Court.

This Court has gone through the paperbook. The challenge is to the correctness of the order passed by the trial court on 15.01.2020, while allowing an application filed by Paras Pajni, for his impleadment in a pending suit, as defendant no.7. The plaintiff-Harkesh Pajni has filed the suit against his father, mother and three brothers with regard to the immovable property. The plaintiff prays for a decree of partition, declaration and permanent injunction while claiming that two transfer deeds, allegedly executed by his father, in favour of his two brothers namely Mukesh and Hemant, are illegal and liable to be set aside. A counter claim has been filed by Ms. Sharda Rani, on the basis of a writing dated 19.01.1998. Paras Pajni-respondent no.7 claims the property on the basis of two registered Wills. He is the grandson of Sh.Harbans Lal whereas son of Sh.Mukesh s/o Sh.Harbans Lal. He

claims property on the basis of the registered Will executed by Harbans Lal as well as another Will executed by Smt. Devki Rani, her grandmother. The court has found that respondent no.7 Paras Pajni is required to be impleaded as defendant.

Keeping in view the aforesaid facts, no ground to interfere is made out.

Hence, dismissed.

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

07.12.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE