

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

134

**CR-1439 of 2022
Date of Order: 06.05.2022**

Bijender Singh

..Petitioner

Versus

Ashok and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Balkar Singh, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

The petitioner's application for permission to implead him as party-defendant has been dismissed.

The plaintiff has filed a suit for grant of decree of mandatory injunction along with a consequential relief of permanent injunction. The petitioner's brothers are already party-defendants in the suit. The petitioner, who resides in Delhi claiming to be co-owner, filed the application for impleadment which has been dismissed by the trial Court. The trial Court has recorded cogent reasons to dismiss the application.

The learned counsel representing the petitioner contends that the petitioner is necessary party being co-sharer in the property.

In the considered opinion of the Court, in a suit for injunction, a co-owner cannot become party against the wishes of 'dominus litis' i.e.the plaintiff.

In view thereof, no ground to interfere is made out.

Dismissed.

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

May 06, 2022

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(ANIL KSHETARPAL)
JUDGE

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