

In the High Court of Punjab and Haryana, at Chandigarh

Regular Second Appeal No. 1224 of 2022 (O&M)

Date of Decision: 04.07.2022

Amarjeet Kaur

... Appellant(s)

Versus

Gagandeep Kaur and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sanjeev Kumar Arora, Advocate
for the appellant(s).

Anil Kshetarpal, J.

1. While assailing the concurrent findings of facts, arrived at by both the Courts below, the defendant No.3 has filed the present appeal.
2. Both the Courts below have passed a preliminary decree for possession, by way of partition of the property, as the plaintiff was found to be a co-owner.
3. The learned counsel representing the appellant contends that Jaswant Singh (appellant's husband) is in possession and he has not been impleaded as a party. In a suit for possession by way of partition, the co-owners are required to be impleaded as party. It is not in dispute that Jaswant Singh is not one of the co-owners of the property.
4. In view of the aforesaid facts, no ground is made out to interfere. Hence, the present appeal is dismissed.

5. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

July 04, 2022
“DK”

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