

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.117

CR No.4394 of 2022

Date of Decision: 14.10.2022

Amar Gir

.... Petitioner

Versus

Mahadev Gir and another

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Ms. Sonia G.Singh, Advocate
for the petitioner.

TRIBHUVAN DAHIYA, J. (ORAL)

This revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 20.09.2022 (Annexure P-4) passed by trial Court dismissing the petitioner's application under Order 1 Rule 10 of CPC for being impleaded as a party to the suit.

2. The suit in question was filed by respondent No.1/plaintiff challenging the Will dated 05.02.2022 and judgment dated 13.05.2010 decided in favour of respondent No.2/defendant-Ram Dass. The petitioner moved application claiming that he has been given authority of the suit property by one Jaidev Gir through Will dated 24.12.1998, without disclosing as to how the said Jaidev Gir is connected to the suit property. It is also a matter of record that he has already filed a Civil Suit for declaration regarding his ownership rights in the suit property based on the Will dated 24.12.1998. In that suit, neither the plaintiff nor the defendant of the instant suit have been impleaded as parties. Therefore, as the petitioner is already

litigating his rights *qua* the suit property through an independent suit, he is not entitled to be impleaded as a party in the instant suit.

3. In view of these facts, order of the trial Court dated 20.09.2022 (Annexure P-4) dismissing the application moved by the petitioner cannot be interfered with.

4. Petition stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

14.10.2022
Maninder

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