

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

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**Civil Revision No.9117-2017(O & M)
Date of Decision : 22.04.2022**

Sapinder Kuar and others

...Petitioners

Versus

Iqbal Singh and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : None for the petitioners

Mr.Gurcharan Dass, Advocate
for the respondents

ANIL KSHETARPAL, J (ORAL)

An application filed by the applicants for being impleaded as party in a suit filed for grant of decree for joint possession to the effect that the plaintiffs are owner of land measuring 20 kanals 6½ marlas on the basis of reversionary rights to the estate of Pir Baksh son of Ram Singh and grant of decree of declaration that the various sale deeds executed by the defendants did not affect the rights of the plaintiffs, has been dismissed by the trial Court.

The plaintiffs claim to be revisionary of Pir Baksh. The applicants claim to be widow and children of late Sh.Pir Baksh. Their application for being impleaded as party defendants has been dismissed. The Court has passed the order on the ground that the applicants have filed a separate suit.

If ultimately, the applicants are held to be widow and children of Pir Baksh, then they will have superior right than the plaintiffs. In such a situation, the applicants were not only a proper party but the necessary party.

In view thereof, the petition is allowed and the order dated 21.10.2016 passed by learned Additional Civil Judge (Senior Division),

Samrala, is set aside.

Needless to say that the prima facie observations made by this Court shall not affect the final decision of the court below.

22.04.2022

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No