

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

107

CR No.5509 of 2022

Date of Decision: 29.11.2022

Ram Chander

...Petitioner

Versus

Tejo Devi and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present :- Mr. K.C. Rajput, Advocate
for the petitioner.

MEENAKSHI I. MEHTA, J.

By way of the present petition, the petitioner-plaintiff (for short 'the plaintiff') has assailed the order dated 06.10.2022 (Annexure P-4) passed by learned Civil Judge (Junior Division), Sonapat (for short 'the trial Court'), in Civil Suit No.679 of 2015 whereby the application moved by him (plaintiff) under Order 1 Rule 10(2) read with Section 151 CPC with a prayer to strike-off the names of respondents-defendants No.5 and 6 (for short 'defendants No.5 and 6') from the array of the defendants therein, has been dismissed.

2. I have heard learned counsel for the petitioner-plaintiff, at the preliminary stage, in the instant revision petition and have also perused the file carefully.

3. Learned counsel for the plaintiff contends that defendants No.5 and 6 are not the necessary parties to the said Civil Suit and rather,

respondents-defendants No.1 and 2 only are contesting the same but vide the impugned order, the trial Court has erroneously dismissed the above-mentioned application and hence, this order deserves to be set-aside.

4. However, I do not find the afore-raised contention to be tenable at all because the trial Court has categorically observed in the impugned order that defendants No.1 and 2 had executed the sale-deeds in favour of defendants No.5 and 6 on 03.09.2015 and 01.12.2015 and that defendants No.5 and 6 had been impleaded as party in the Civil Suit vide the order dated 19.05.2017 passed on the application moved by the plaintiff himself for the said purpose. Now, the plaintiff intends to take a somersault by seeking the deletion of the names of said vendee-defendants from the array of the defendants in the Suit but he cannot be permitted to ask for adding or dropping/deleting the parties merely on the basis of his whims.

5. As a sequel to the fore-going discussion, it follows that the impugned order does not suffer from any illegality, infirmity, irregularity or perversity so as to warrant any interference by this Court. Resultantly, the present revision petition, being sans any merit, stands dismissed.

29.11.2022
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*
Whether Reportable: *No*