

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

CR-1046-2018 (O&M)

Date of decision: 26.07.2022

Radha Devi

....Petitioner

Versus

Ram Gopal and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. A.K.Khunger, Advocate for the petitioner
 Mr. Pawandeep Singh, Advocate for respondent no.1

ANIL KSHETARPAL, J (Oral)

The petitioner's application for impleadment in a suit for injunction has been dismissed by the trial court. The petitioner is a married woman, residing in District Hisar, whereas, the suit property is located in village Sitto Gunno, Tehsil Abohar, District Fazilka. The suit has been filed by the plaintiff against his brother and nephews. The plaintiff has filed a suit for injunction simply on the basis of his possession. No question of title is involved in the suit. The plaintiff only prays for grant of decree of injunction restraining the defendants in the suit from interfering in his peaceful possession.

The court has dismissed the application for the reasons noted above.

Learned counsel representing the petitioner contends that the petitioner being the owner is entitled to be impleaded as a party.

This Court has considered the submission, however, finds no merit therein. It is a suit for injunction simplicitor. The plaintiff is the dominus litis, who has no apprehension of dispossession from the

petitioner. Since the question of title is not involved in the suit, therefore, the petitioner is neither a necessary party nor a proper party.

Hence, dismissed.

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

26.07.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE