

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 468 of 2021****Date of Decision: 13.10.2023**

Manjeet Kaur

... Petitioner(s)

Versus

Rakesh Kumar and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.Present: Mr.Parveen Kumar, Advocate
for the petitioner(s).Mr. Nikhil K. Chopra, Advocate
for the respondent No.1.**Anil Kshetarpal, J.**

1. The petitioner's application under Order I Rule 10 read with Order VI Rule 17 of the Code of Civil Procedure, 1908, for seeking permission to implead Kiran Arora as a party (defendant) has been dismissed by the trial Court, on 29.01.2020.

2. The correctness of the aforesaid order has been challenged in this revision petition.

3. The learned counsel representing the petitioner contends that Kiran Arora is one of the vendors of the sale deed dated 26.07.2011. The learned counsel submits that the aforesaid sale deed is the result of collusion between the vendors.

4. On the other hand, the learned counsel representing the respondent No.1 submits that Kiran Arora is only one of the vendors,

therefore, she is not a necessary party to the suit as her brother, namely

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Jagdish, who was also the vendor of the sale deed, is already party to the suit. The learned counsel further submits that the plaintiff is keeping the litigation alive as the previous suit filed by the plaintiff has been dismissed by both the Courts below.

5. In this case, the suit was filed on 03.01.2017. The petitioner has filed the aforesaid application after the passage of nearly three years. She has failed to prove how Kiran Arora is a necessary party to the suit, particularly when she has already sold the same in favour of the defendant No.1. Moreover, Jagdish, brother of Kiran Arora, another vendor, is already a party to the suit.

6. Keeping in view the aforesaid facts, no ground is made out to interfere. Hence, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

October 13, 2023

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No