

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

(122)

CR-2258-2023

Date of Decision : April 17, 2023

Gurcharan Singh**.. Petitioner****Versus****Balbir Singh through LRs and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Surinder Garg, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present civil revision petition, the challenge is to the order dated 13.11.2019 (Annexure P-3) by which application filed by respondent No.1 for impleading the legal representatives of Jabarjang Singh @ Janga Singh has been allowed.

Learned counsel for the petitioner submits that the suit filed by the plaintiff was against a dead person despite the fact that he knew that defendant No.22 Jabarjang Singh @ Janga Singh has already died, hence, subsequent application for bringing on record the legal heirs of Jabarjang Singh @ Janga Singh should have been declined by the Courts below whereas, the said application has been accepted by the Court vide impugned order.

A bare perusal of the impugned order would show that nothing has come on record about the date of death of defendant No.22. While recording the findings, the trial Court has mentioned that even the knowledge of death of defendant No.22 to the plaintiff has not been proved. The said view of the trial Court cannot be treated as perverse or against any settled principle of law as the facts recorded in the impugned order has not been rebutted in this petition.

Keeping in view the above, no ground is made out for any interference called by this Court in the present civil revision petition.

Dismissed.

April 17, 2023

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No