

CR-4151 of 2023

2023:PHHC:097626

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

CR-4151 of 2023

Date of decision: 26.07.2023

Ravinderpal Singh @ Ravinder Paul Singh

.....Petitioner

Versus

Kanwarjit Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Karnesh Verma, Advocate,
for the petitioner.

NAMIT KUMAR, J.

1. Instant revision petition has been preferred by the plaintiff-petitioner under Article 227 of the Constitution of India impugning the order dated 10.03.2023 passed by the Court of learned Civil Judge (Junior Division), Ludhiana, whereby application filed by respondent No.1 under Order 1 Rule 10 CPC has been allowed.

2. The brief facts leading to the filing of present revision petition are that petitioner filed a suit for declaration to the effect that issuance of directions vide memo No.1450 dated 19.04.2018 and the memo itself, containing the directions for submission of fresh test report and for removal of excess load installed in connection account No.W51K5171971X//3002506969 are illegal, null and void and for permanent injunction restraining the defendants from disconnecting the aforesaid electric connection account running in the name of Prithipal Singh in a portion of property No.21-J, Sarabha Nagar, Ludhiana,

CR-4151 of 2023

2023:PHHC:097626

through coercive methods except through due course of law. In the said suit, respondent No.1 filed an application under Order 1 Rule 10 CPC for impleading him as party-defendant, which has been allowed by the Court of learned Civil Judge (Junior Division), Ludhiana, vide order impugned herein.

3. Learned counsel for the petitioner contended that petitioner is occupier and living in the property in dispute. He further submitted that matter is between the petitioner and respondents No.1 and 3 regarding continuation of electric connection and respondent No.1 is not a necessary party to the said suit. He further submitted that application filed by respondent No.1 for impleadment in the suit filed by petitioner against respondents No.2 and 3, has wrongly been allowed by the trial Court.

4. I have heard learned counsel for the petitioner and perused the record.

5. Perusal of record shows that father of respondent No.2 was owner of the property in dispute. Respondent No.1 purchased the disputed house vide sale deeds dated 20.06.2007 and 22.10.2007. He filed a civil suit for mandatory injunction directing the petitioner to vacate the property, which was decreed in favour of respondent No.1 and the said judgment and decree has attained finality upto the Hon'ble Supreme Court. Vide order dated 14.12.2016 the Hon'ble Supreme Court had directed the petitioner to vacate the demised premises within 18 months from the date of order. Thus, respondent No.1 has become exclusive owner of the property in question. Thus, the trial Court has

CR-4151 of 2023

2023:PHHC:097626

rightly observed that direct interest of respondent No.1 is involved in the suit filed by the petitioner and allowed his application under Order 1 Rule 10 CPC.

6. I do not find any illegality or perversity in the impugned order. Hence, the revision petition is dismissed in limine.

26.07.2023
R.S.

(NAMIT KUMAR)
JUDGE

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