

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR No.1894 of 2024
Date of Decision: 01.04.2024

Paramjit Singh
...Revisionist-Petitioner

Versus

Buland Iqbal Singh and another
...Respondents

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

Present:- Mr. Impinder Singh Dhaliwal, Advocate
 for the revisionist-petitioner.

MEENAKSHI I. MEHTA, J. (Oral)

By filing the instant revision-petition under Article 227 of the Constitution of India, the petitioner-plaintiff (here-in-after to be referred as ‘the plaintiff’) has laid challenge to the order (Annexure P-6) handed down by learned Additional Civil Judge (Senior Division), Malout (for short ‘the trial Court’) on 15.12.2023 in **Civil Suit No.187 of 2019** titled as **‘Paramjit Singh Vs. Buland Iqbal Singh etc.’**, whereby the application (Annexure P-4) moved by him under Order 1 Rule 10 read with Section 151 CPC with the prayer to implead Kuldeep Kaur, the General Attorney of respondent-defendant No.1 (here-in-after to be referred as ‘defendant No.1’) as defendant No.3 in the above-said Civil Suit, has been dismissed.

2. Bereft of unnecessary details, the facts, as emanating from the perusal of the file and resulting in the filing of the present revision-petition, are that the plaintiff filed the afore-referred Civil Suit for seeking the relief

of permanent injunction against the respondents-defendants for restraining them (defendants) from interfering in his (plaintiff's) possession over the suit land and also from alienating the said land to anyone else except him. Defendant No.1 filed written-statement through his above-named General Attorney but the plaintiff moved the afore-said application with the prayer to implead her (General Attorney) as defendant No.3 in the Civil Suit and the trial Court has dismissed the same vide the impugned order, as already indicated in the opening para of this judgment.

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

4. Learned counsel for the plaintiff contends that the above-said General Attorney of defendant No.1 is likely to alienate the suit land to some third person and if she does so, it may further lead to the multiplicity of litigation and for avoiding such an eventuality, she should have been impleaded as defendant No.3 in the afore-mentioned Civil Suit but vide the impugned order, the trial Court has dismissed application Annexure P-4, as moved by the plaintiff for this purpose and in these circumstances, it is quite explicit that the said order is not legally sustainable and hence, it deserves to be set-aside.

5. However, the above-raised contentions are devoid of any merit because the afore-named General Attorney of defendant No.1 is supposed to act on his behalf and all the acts done by her in respect of the suit land, in such capacity, would be deemed to have been so done by defendant No.1

and he shall be legally bound and also responsible for the same. It being so, the above-said General Attorney-proposed defendant No.3 cannot be construed to be a necessary party to the afore-referred Civil Suit for the purpose of proper adjudication of the dispute between the parties therein.

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

01.04.2024
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No