



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Civil Revision No. 2109 of 2024 (O&M)
Date of Decision: 04.07.2024

Prof. J.P.S. Nindra @ Jasbir Paul Singh
..... Petitioner
Versus
Gursimran Singh Oberoi
..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Karan Bhardwaj, Advocate
for the petitioner-plaintiff.

HARKESH MANUJA, J. (ORAL)

The petitioner-plaintiff, by way of present revision petition, seeks setting aside of the order dated 06.03.2024 (Annexure P-7) passed by learned Civil Judge (Junior Division), Chandigarh (**hereinafter to be referred as “trial Court”**), in Civil Suit No. 1186 of 2023, titled “**Prof. JPS Nindra @ Jasbir Paul Singh Versus Gursimran Singh**”, whereby an application under Order 1 Rule 10 read with Section 151 of CPC, filed on behalf of the respondent-defendant (Gursimran Singh Oberoi), the then President of “Chandigarh Management Association”, Industrial Area, Phase-8 B, Sector-74, Mohali (Punjab) (**hereinafter “Chandigarh Management Association” to be called as “the Society”**), seeking deletion of his name from the array of defendant, stands allowed.

[2] The short grievance raised on behalf of the petitioner-plaintiff is that a suit for declaration and permanent injunction was filed

on his behalf against the Society, alleging certain irregularities committed by the Executive Committee and President, wherein the Society was impleaded by the name of the then President, i.e. Mr. Gursimaran Singh Oberoi, in terms of Section 6 of the Societies Registration Act, 1860, read with Article 32 of the Constitution of the Society, however, the term of the elected executive of the Society is one year and in such circumstances, the petitioner is made to implead / replace the new incumbent every year, as the person / President representing the defendant-Society.

[3] Considering the aforesaid practical difficulty being faced by the petitioner, and taking a pragmatic and practical approach to the *lis*, the petitioner shall move an appropriate application before the trial Court, re-framing the defendant as **“Chandigarh Management Association through its President”**, so that on every change of newly elected President, there is no need to every time implead the upcoming incumbent.

[4] The aforesaid liberty is granted in favour of petitioner, just to avoid the unnecessary and uncalled for delay being faced by him in pursuing his suit.

[5] **Disposed off in the aforesaid terms.**

July 04, 2024
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(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No