



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

(124)

CR-2393-2024Date of Decision:-**12.11.2024**

SAHIB SINGH AND ANOTHER

... Petitioners

Versus

IRRIGATION DEPARTMENT DEVIGARH BRANCH AND OTHERS

... Respondents

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CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present:- Mr. S. K. Mahajan, Advocate
for the petitioners.

ALOK JAIN, J. (Oral)

1. Present petition has been filed by the petitioners challenging the order dated 04.03.2024 (Annexure P-1) passed by Civil Judge (Junior Division), Patiala, whereby the application filed by respondent No.8 along with other applicants under Order 1 Rule 10 CPC has been allowed.
2. Learned counsel for the petitioners submits that the petitioners/plaintiffs filed the suit seeking permanent injunction restraining the official defendants i.e. Irrigation Department etc. through servants, agents, party-men from digging any canal/Rajbaha/ water channel and from interfering in any manner and dispossessing the plaintiffs from the land owned and possessed by the plaintiffs.
3. The present petitioner is aggrieved by the order whereby the respondent No.8 has been added as a party respondent in represented



capacity of 92 villagers and submits that there is no relief prayed for against the said respondent and is not a necessary party. He further submits that the impugned order is bad in the eyes of law as there is no disputed with the villagers.

4. Heard learned counsel for the petitioners at length and perused the record.

5. A perusal of the record shows that in the said suit an application was moved by ninety two villagers whose land are also adjacent to the land of the plaintiffs and the water canal is for the benefit of the entire village. Be that as it may, in case the plaintiff succeed in the suit, their rights would be deprived for all time to come and it will add to multiplicity of the litigation. The said application has been allowed by the Court below and respondent No.8 has been made a party-respondent in representative capacity as defendant on behalf of all the ninety two applicants.

5. Accordingly, I do not find any infirmity in the impugned order. The interest of all the villagers shall be affected by the outcome of the said suit, more so, the interest of the petitioners already stands protected by virtue of order 26.10.2023, whereby both the parties are directed to maintain *status quo*.

6. In the light of the above, present petition stands dismissed.

12.11.2024
Gaurav Sorot

(ALOK JAIN)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No