



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

120

CR-3457-2024 (O&M)
Date of Decision : 22.08.2024

ParveenPetitioner

VERSUS

Anita Devi and OthersRespondents

CORAM : HON’BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Deep Singh Saini, Advocate for the petitioner.

ALKA SARIN, J. (Oral)

1. Present revision petition has been filed under Article 227 of the Constitution of India challenging the impugned order dated 09.05.2024 whereby the application filed by the petitioner under Order I Rule 10 read with Section 151 of the Code of Civil Procedure, 1908 for being impleaded as a defendant has been dismissed.
2. Brief facts relevant to the present *lis* are that the plaintiff-respondent No.1 herein filed a suit for declaration to the effect that letter bearing No.1056 dated 13.05.2022 for recovery of Rs.1,15,38,530/- by way of land revenue was null and void and not binding on the rights of the plaintiff-respondent No.1 as well as for injunction restraining the defendants from attaching/auctioning her land. In the present suit the State and its functionaries as well as Gram Panchayat of village Sutana, Tehsil and Block Madlauda, District Panipat were impleaded as defendants. Admittedly, written statements have been filed by the defendants in the suit. During the pendency of the suit an application was filed by the petitioner herein for

being impleaded as a party on the ground that he is an inhabitant of village Sutana, District Panipat and that he is aware of the facts regarding the embezzlement committed by the plaintiff-respondent No.1 and hence he is a necessary party. The said application was dismissed by the Trial Court vide the impugned order dated 09.05.2024. Hence, the present revision petition.

3. Learned counsel for the petitioner would contend that the petitioner is a necessary party since he has all the information regarding the embezzlement and it is on his complaints that the present action has been taken and that he is the only one who has the complete record and can disclose all the facts.

4. Heard.

5. In the present case the argument of learned counsel for the petitioner that the petitioner is a necessary party since he is aware of the embezzlement made by the plaintiff-respondent No.1 cannot be accepted. Even if the action of issuance of recovery notice against the plaintiff-respondent No.1 was taken on the basis of the complaints made by the petitioner he would still not be a necessary party. The relief claimed by the plaintiff-respondent No.1 is against the Government officials and the Gram Panchayat, who are necessary and proper parties, and who have already been impleaded. If there is any embezzlement, the record would be available with the Gram Panchayat. The argument of learned counsel for the petitioner that the record is only available with the petitioner also casts a doubt in the mind of the Court as to how the record of the Gram Panchayat is being kept by the petitioner herein when he is admittedly not an elected member of the

Panchayat. Be that as it may, the petitioner appears to be nothing but a busy body.

6. In view of the above, I do not find any merit in the present revision petition and the same is accordingly dismissed. Pending applications, if any, also stand disposed off.

22.08.2024
jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO