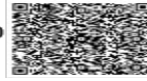
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****131****CR-419-2025 (O&M)****Date of decision: 23.01.2025****Rohtash****...Petitioner(s)****Vs.****Madan Lal and others****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Nischal Chetanya Manchanda, Advocate
for the petitioner.

NIDHI GUPTA, J.

Challenge in the present civil revision petition is to the order dated 12.11.2024 (Annexure P-4) passed by the learned Civil Judge (Jr. Division), Samalkha whereby the application filed by the petitioner under Order 1 Rule 10 CPC read with Section 151 CPC seeking impleadment in the suit for the declaration and permanent injunction filed by the plaintiff/respondent No.1 herein, has been dismissed.

2. Learned counsel for the petitioner submits that the plaintiff/respondent No.1 had filed the present suit dated 18.02.2021 for declaration and permanent injunction against the defendants/performa respondents No.2 and 3 herein upon the cancellation of his license issued on 07.01.2002. It is submitted that the license of the plaintiff was cancelled on the basis of the complaint made by the petitioner. As such, petitioner was a necessary party to the suit. However vide the



impugned order, the application of the petitioner seeking impleadment to the suit dated 18.02.2021 (Annexure P-1), has been dismissed.

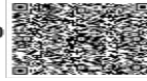
3. Learned counsel submits that for the proper adjudication of the suit at hand (Annexure P-1), it was necessary that the petitioner be impleaded as a party. It is an admitted fact on record that the license of the plaintiff was cancelled on the complaint made by the petitioner. As such, application under Order 1 Rule 10 CPC could not have been dismissed. Learned counsel accordingly prays for setting aside the impugned order dated 12.11.2024 (Annexure P-4).

4. No other argument has been raised on behalf of the petitioner.

5. Heard learned counsel for the petitioner and perused the case file in great detail.

6. Brief facts of the case are that the plaintiff has filed a plaint (Annexure P-1) with the assertion that he is a very well-trained driver of heavy transport vehicles and heavy public vehicles and has a valid driving license No. HR-67200201188078 issued on 07.01.2002 passed by the RTA, Panipat. It is further stated in the plaint that plaintiff has also undergone the course of training and driving. In the said suit, the petitioner had filed a present application under Order 1 Rule 10 CPC read with Section 151 CPC dated nil (Annexure P-2) stating therein that the plaintiff has obtained heavy driving license by producing fake middle class examination certificate before the officials/defendants No. 2 and 3.

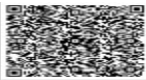
In this regard, the petitioner had also registered an FIR No. 323 of 2020



in Police Station Murthal, District Sonipat. The plaintiff had filed reply dated 19.10.2024 (Annexure P-3) to the said application stating that the motto of the petitioner was to harass and humiliate the plaintiff. Vide the impugned order dated 12.11.2024 (Annexure P-4), the said application of the petitioner has been dismissed.

7. I find no error whatsoever in the impugned order dated 12.11.2024 (Annexure P-4) passed by the learned trial Court. It is a well-established proposition of law that the plaintiff is dominus litis/master of his own suit. It has been admitted by the learned counsel for the petitioner before this Court that admittedly the petitioner is “nobody” in so far as the driving license of the plaintiff is concerned and has no interest involved in the suit. Thus, in fact, the petitioner has no *locus standi* as he has no concern or interest or right in the suit. No doubt, the petitioner may have filed the complaint on the basis of which the driving license of the plaintiff was cancelled. Although there is no supporting material on record to establish the said connection, yet, even if the said assertion is taken to be correct, the matter/ issue regarding the correctness, validity, and/or the legality of the driving license of the plaintiff is and would be solely between the plaintiff and the defendant-department. As such, the petitioner is neither a necessary party nor a proper party. No right, title or interest of the petitioner will be effected by the outcome of the suit.

8. Moreover, the present suit is based solely on the ground of action to be taken by the defendant-department against the



plaintiff, if any, for the verification of the documents submitted by the plaintiff. Furthermore, vide the impugned order dated 12.11.2024 (Annexure P-4), the petitioner has been granted opportunity by the learned trial Court to prosecute in his own cause of action, if any, by way of a separate suit.

9. As such, I find no error whatsoever in the impugned order dated 12.11.2024 (Annexure P-4).

10. The present civil revision petition is accordingly **dismissed**.

11. Pending application(s) if any also stand(s) disposed of.

23.01.2025

Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No