



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

317

CR-1007-2025 (O&M)

Date of Decision : 22.04.2025

VIJAYANT CHAUDHARY

.... Petitioner

VERSUS

C.B.S CHADHA AND ORS

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Sushant Kareer, Advocate for the petitioner.

Mr. Shubham Kaushik, Advocate for respondent No.1.

None for respondents No.3 and 4 despite service.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India challenging the order dated 13.01.2025 (Annexure P-7) passed by the learned Civil Judge (Junior Division), Gurugram whereby an application filed under Order I Rule 10(2) CPC read with Section 151 CPC for impleadment of Dakshin Haryana Bijli Vitran Nigam Ltd. (DHBVN) was allowed and DHBVN was made a party.

2. Learned counsel for defendant No.1-petitioner would contend that in the entire plaint there is no relief claimed against DHBVN and hence in the absence of any relief having been claimed against DHBVN, the application for its impleadment cannot be allowed.

3. *Per contra*, learned counsel for plaintiff-respondent No.1 would contend that DHBVN is a necessary and a proper party. However, on a

query by the Court as to whether any averment has been made in the plaint against DHBVN, learned counsel for plaintiff-respondent No.1 has fairly conceded that neither any such averments has been made in the plaint nor any relief has been claimed against DHBVN.

4. Heard.

5. In the present case, since there is no relief claimed nor any averment has been made in the plaint against DHBVN, there was no question for its impleadment as a party.

6. In view thereof, the present revision petition is allowed and the impugned order dated 13.01.2025 (Annexure P-7) passed by the learned Civil Judge (Junior Division), Gurugram cannot be sustained and the same is accordingly set aside. The application filed before the Trial Court under Order I Rule 10(2) CPC read with Section 151 CPC for impleadment of Dakshin Haryana Bijli Vitran Nigam Ltd. (DHBVN) stands dismissed.

7. Pending applications, if any, also stand disposed off.

8. Needless to say that the plaintiff-respondent No.1 herein would always be at liberty to avail his remedies as available in law.

22.04.2025
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No