

**CR-1654-2025 (O&M)****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(127)****CR-1654-2025 (O&M)****Date of decision: - 20.03.2025****Local Managing Committee A.S. High School, Pundri****....Petitioner****Versus****A.S. High School/A.S. Senior Secondary School, Pundri and another****....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Ravi Dutt Sharma, Advocate,
for the petitioner.

**********VIKAS BAHL, J. (ORAL)**

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 14.01.2025 (Annexure P-6), passed by the Rent Controller, Kaithal in RP/16/2019 titled as "A.S. High School Vs. D.A.V. Public School, Pundri", whereby the application under Order 1 Rule 10 CPC dated 21.03.2023 (Annexure P-4) filed by the petitioner for impleading has been dismissed.

2. Learned counsel for the petitioner has submitted that although as per the impugned order the petitioner has been granted liberty to file a separate suit, with respect to the plea raised by the petitioner that they are the owner and landlord of the property in question but certain

**CR-1654-2025 (O&M)****-2-**

observations had been made with respect to respondent No.1 being the landlord. It is further submitted that the primary reason for filing the present revision petition is to seek a clarification that in case the petitioner is to institute any independent proceedings in accordance with law, then, the said observations in the impugned order should not come in the way of the petitioner in pursuing its independent plea of being the owner in possession. It is submitted that with the said clarification, the present revision petition be disposed of.

3. It is a matter of settled law that the observations made while deciding an application under Order 1 Rule 10 CPC are for the purpose of considering whether the party is a necessary or proper party and the same cannot be considered to be a final adjudication of right or status of the person who wants to be impleaded as a party, more so, when he has been given a right to file a separate suit/proceeding with respect to his/her claim of ownership and landlordship.

4. Keeping in view the above-said facts and circumstances and the limited prayer made by learned counsel for the petitioner, the present revision petition is disposed of while upholding the order dated 14.01.2025 with the clarification/observation that the observations made in the impugned order are only for the purpose of disposal of the application under Order 1 Rule 10 CPC and it would be open to the petitioner to institute independent proceeding/suit in accordance with law and in case any such suit/proceeding is filed, then, the same would be

considered by the concerned Court, independently, in accordance with law, dehors of the observations made in the impugned order.

March 20, 2025

naresh.k

(VIKAS BAHL)
JUDGE

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