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

**CR-1678-2022 (O&M)****Date of Decision : 13.05.2025**

Paramjit Kaur

... Petitioner(s)

Versus

Amarjit Singh &amp; Ors

... Respondent(s)

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. Ketan Chopra, Advocate for the petitioner.

Mr. K.B. Raheja, Advocate for respondent Nos.1 to 3 and 12.

**ALKA SARIN, J. (Oral)**

1. Learned counsel for the petitioner states that the contesting respondent Nos.1 to 3 and 12 are already represented by Mr. K.B. Raheja, Advocate and, hence, service of the remaining respondents may be dispensed with. Ordered accordingly.

2. The present revision petition has been preferred by the plaintiff-petitioner under Article 227 of the Constitution of India for setting aside the impugned order dated 11.11.2021 passed by the Civil Judge (Junior Division), Malerkotla, whereby the application filed under Order 1 Rule 10 read with Section 151 of the Code of Civil Procedure, 1908 for impleading Amrik Singh and Varinder Kaur as defendant Nos.13 and 14 has been dismissed.

3. The plaintiff-petitioner herein filed a suit for declaration and permanent prohibitory injunction. During the pendency of the suit, vide order dated 22.10.2019, the parties to the *lis* were directed to maintain status

quo as to the alienation qua 1/6<sup>th</sup> share as claimed by the plaintiff-petitioner. Subsequently, during the pendency of the suit, some land was sold by the defendant-respondent Nos.2 and 3, namely, Sharanjit Singh and Paramjit Singh to Amrik Singh son of Piara Singh vide a registered sale deed dated 04.03.2021 and the defendant-respondent No.1 - Amarjit Singh - transferred the land to Varinder Kaur wife of Karamjit Singh vide a registered sale deed dated 27.08.2021. An application was filed for impleading the said subsequent purchasers stating that the transfer was hit by the principles of *lis pendens* as enunciated under Section 52 of the Transfer of Property Act, 1882. The said application was contested by the defendant-respondents and vide the impugned order dated 11.11.2021, the application was dismissed. Hence, the present revision petition.

4. Learned counsel for the plaintiff-petitioner would contend that the property has been sold during the pendency of the *lis* and, hence, principles of *lis pendens* would apply and the subsequent purchasers would be necessary parties. It is further the contention of the learned counsel that the sale is by way of specific khasra numbers and, hence, the application ought to have been allowed.

5. *Per contra* the learned counsel for the contesting respondent Nos.1 to 3 and 12 would contend that the Trial Court vide order dated 22.10.2019 had ordered status quo to be maintained qua 1/6<sup>th</sup> share as claimed by the plaintiff-petitioner and the present sale by the defendant-respondent Nos.1 to 3 has not been made out of that 1/6<sup>th</sup> share and the 1/6<sup>th</sup> share as claimed by the plaintiff-petitioner remains intact. Hence, there would be no requirement for impleading the subsequent purchasers as

defendants in the present suit. It is further the contention of the learned counsel that the transfer is not of any specific khasra number but of a share which is also observed in the impugned order.

6. I have heard the learned counsel for the parties.

7. In the present case, admittedly 1/6<sup>th</sup> share qua which status quo was directed to be maintained by the Trial Court remains intact. The defendant-respondent Nos.1 to 3 at best had sold their shares of the property. Only a share has been sold and further neither any specific khasra numbers are mentioned therein nor any specific possession thereof has been given on the spot. In view thereof, there would be no requirement for impleading the said persons as parties in the civil suit. Even otherwise, the Trial Court had observed that an entry has already been made in the revenue record qua the pendency of the present case and all subsequent purchasers who purchased the property would be aware of the pendency of the present case and the transaction would be hit by the principles of *lis pendens*. The Trial Court had further directed that an intimation be sent to the revenue authorities to enter the factum of the pendency of the present case, in case the same has not already been entered. The Trial Court also observed that the plaintiff-petitioner is delaying the matter on one pretext or the other and that earlier also a similar application had been filed.

8. In view of the above, no fault can be found with the impugned order dated 11.11.2021 passed by the Trial Court. The present revision petition being devoid of any merit is accordingly dismissed. The Trial Court is requested not to grant any unnecessary adjournment to either of the parties.

9. Pending applications, if any, also stand disposed off.
10. It is made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

13.05.2025  
Yogesh Sharma

**( ALKA SARIN )**  
**JUDGE**

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