



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-3939-2025 (O&M)

Date of Decision: 07.07.2025

SONU AND OTHERS

. . . . PETITIONERS

Vs.

SATYADEV AND OTHERS

. . . . RESPONDENTS

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Harshit Kataria, Advocate, for the petitioners.

DEEPAK GUPTA, J.

Petitioners herein are the plaintiffs in *Civil Suit bearing No.CS-48-2023* titled as *Sonu and others Vs. Satyadav and others*, pending before learned Civil Judge (Jr. Division), Meham. They are aggrieved by the order dated 18.02.2025 (Annexure P4), whereby application under Order 1 Rule 10 CPC, moved by one Darshana Devi to be impleaded as a party, was allowed.

2. It is contended by learned counsel that petitioners-plaintiffs being the *dominus litus* cannot be compelled to litigate against any person against whom they do not claim any relief and therefore, the Court was not at all justified to allow the application.

3. After going through the paper-book, this Court does not find merit in the aforesaid contention.

4. First of all, Smt. Darshana Devi, whose application under Order 1 Rule 10 CPC has been allowed by the trial Court by way of the impugned order, has not been impleaded as a party to this revision and this in itself is a sufficient ground to reject this revision.

5. Secondly, as per the case of the plaintiffs, they were co-sharers in the suit property. They sought to restrain the defendants from changing the

nature of the suit land or to alienate any valuable/specific portion of the same without partition.

6. It was pointed out by the applicant-Darshana Devi that plaintiff No.3 himself had alienated the suit property out of his share on 17.06.2022 to her and had handed over the possession of the specific portion, which was in her possession and as such, she was liable to be impleaded as a party, having stepped into the shoes of plaintiff No.3.

7. In the aforesaid facts and circumstances, when applicant-Darshana Devi had stepped into the shoes of one of the plaintiffs, the trial Court did not commit any illegality in permitting the said applicant to be impleaded as a party, who though may not be a necessary party, but certainly is a proper party to be heard.

8. Holding the present petition to be devoid of any merit, the same is hereby dismissed.

07.07.2025

Vivek

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned	: Yes
Whether reportable	: No