



IN THE HIGH COURT OF PUN JAB AND HARYANA AT CHANDIGARH

116

CR-5830-2024 (O&M)

Date of Decision : 08.01.2025

Veena Rani

....Petitioner

VERSUS

Geeta Devi and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Rajesh Lamba, Advocate for the petitioner.

ALKA SARIN, J. (Oral)

1. Present revision petition has been preferred by the defendant-petitioner challenging the order dated 18.05.2024 whereby the application filed by respondent No.1 herein for impleading the minor child of deceased Ajay and the Superintendent of Police, Fatehabad has been allowed.

2. Learned counsel for the defendant-petitioner, at the outset, states that he is not aggrieved by the impleadment of the minor child. However, he is challenging the order dated 18.05.2024 to the extent that the Superintendent of Police, Fatehabad has been permitted to be impleaded as a party. Learned counsel for the defendant-petitioner would contend that the Superintendent of Police, Fatehabad is not a necessary party in the present case.

3. Heard.

4. In the present case, it is trite that the plaintiff is *dominus litis* and the present application for impleadment was filed by respondent No.1 herein in the application filed under Section 372 of the Hindu Succession

Act, 1956. The Trial Court qua the impleadment of the Superintendent of Police, Fatehabad has held as under :

“ 7. As regards the Superintendent of Police, Fatehabad, this court is of the considered opinion that admittedly, deceased Ajay Kumar was member of Haryana Police and was posted at Fatehabad. It is also an admitted fact that in view of the directions given by Hon'ble High Court in Civil Writ Petition No.1351 of 2018 the Superintendent of Police, Fatehabad has passed orders with regard to service benefits of the deceased. Moreover, vide order dated 31.08.2018 passed by the then learned Civil Judge(Senior Division), Sirsa while disposing of an application under Order 39 Rules 1&2 read with Section 151 CPC filed by the petitioner, it has been specifically held that the Superintendent of Police, Fatehabad is a necessary party in the present petition and has not been impleaded as such by the petitioner due to the reasons best known to her. It appears that after the specific observations made in this regard vide order dated 31.08.2018 the present application was moved on 03.10.2018 seeking permission to implead Superintendent of Police, Fatehabad as necessary party in the present petition. Therefore, petitioner is also

permitted to implead the Superintendent of Police, Fatehabad as respondent in the present petition."

5. In view of the findings returned by the Trial Court that there were judicial orders stating that the Superintendent of Police, Fatehabad was a necessary party in the petition, respondent No.1 herein was permitted to implead the Superintendent of Police, Fatehabad. It is to be noted that the Superintendent of Police, Fatehabad is not aggrieved by the said order.

6. In view of the above, I do not find any merit in the present revision petition and the same is accordingly dismissed. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

08.01.2025
jk

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