

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****267****CR-5450-2023(O&M)****Date of decision: 11.11.2025****Jasvir Singh****...Petitioner(s)****Vs.****Tehsildar Sahib & Others****...Respondent(s)***********CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Naveen Batra, Advocate
for the petitioner.

Mr. H.S. Dhindsa, Advocate
for respondents No.4 and 5.

*********NIDHI GUPTA, J.**

Present Revision Petition has been filed by the plaintiff No.1 under Article 227 of the Constitution of India, seeking setting aside of order dated 25.08.2023 (Annexure P5) passed by learned Additional Civil Judge (Senior Division), Nangal whereby application filed by respondents No.4 and 5 herein under Order 1 Rule 10 CPC for impleadment has been allowed.

2. Brief facts of the case are that the petitioner had filed suit dated 02.09.2022 (Annexure P1) for declaration to the effect that plaintiffs (present petitioner and pro-forma respondent No.6 herein) are joint owners in possession of the suit property. Defendants i.e. respondents No.1 to 3 herein had filed written statement dated 'Nil' (Annexure P2). Subsequently, the respondents No.4 and 5 herein had moved application



dated 11.05.2023 (Annexure P3) under Order 1 Rule 10 CPC for impleading as defendants. Vide impugned order dated 25.08.2023 (Annexure P5) the said application of respondents No.4 and 5 has been allowed.

3. It is inter alia submitted by learned counsel for the petitioner that by way of the suit, the petitioner had only sought correction of the Khasra Numbers inadvertently wrongly entered in the Revenue Record. It is submitted that the clear pleading of the petitioner in the plaint is that Revenue Entry incorporated by defendant No.1 is liable to be corrected and rectified as Khasra No.240/246. The plaintiffs are in possession of suit property, which was previously owned by Ratan Singh son of Shiv Singh and the same was transferred by Registered Transfer Deed dated 26.10.2016 in favour of the plaintiffs in equal share. It is submitted that the respondents No.4 and 5 have no concern with the suit land. The present suit is regarding correction of Khasra Number and applicants have no concern with the relief claimed in the suit. The application (Annexure P3) has been filed by them on frivolous grounds and could not have been allowed. Learned counsel accordingly prays for setting aside of the impugned order.

4. Per contra, learned counsel for the applicants/respondents No.4 and 5 opposes the submissions on behalf of the petitioner and submits that the applicants are co-sharers in the suit land. In fact, the plaintiffs in connivance with the Revenue Officials had illegally and wrongly got the Khasra Numbers changed from 240/46 to 240/61. It is submitted



that therefore, the impugned order suffers from no error and present petition deserves to be dismissed.

5. No other argument is made on behalf of the parties.

6. I have heard learned counsel and perused the case file in detail.

I find no merit in the submissions advanced on behalf of the petitioner.

7. The learned Civil Judge in the impugned order has categorically noted that in the Jamabandi for the year 1982-83 with regard to the Khasra Numbers in dispute, the same being Khasra Nos.240/46 and 240/61, Rattan Singh and Joginder Singh/predecessors of the applicants, are shown to be owners in possession. Even in the subsequent Jamabandis, including for the year 2012-13, predecessors-in-interest of the applicants are shown to be owners in possession of the suit property. Applicants have also averred that they along with their family members are in continuous peaceful possession, and in use of the house built over the suit land till date. Furthermore, the applicants have stated themselves to be legal heirs of Jaswinder Singh, who had got the suit property from Rattan Singh in Family Settlement.

8. Needless to say, the claim of both parties can only be proved and ascertained upon leading of evidence. However, the applicants have clearly made out a prima facie case in their favour as necessary parties to the dispute at hand. The applicants have also moved application dated 28.03.2022 to the Tehsildar, Nangal with submission not to disturb the



Revenue Record of the suit property without hearing the applicants. Learned counsel for the petitioner is unable to dispute the said facts.

9. Resultantly, the present petition stands **dismissed**.

10. Pending application(s) if any also stand(s) disposed of.

11.11.2025

Sunena

(Nidhi Gupta)
Judge

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No