



CR-6176-2025 (O&M)

-1-

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

CR-6176-2025 (O&M)

Reserved on : 08.09.2025

Date of Pronouncement : 10.09.2025

Manjit Kaur

.....Petitioner

Vs.

Jarnail Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. G.C.Shahpuri, Advocate,
for the petitioner.

SUDEEPTI SHARMA J. (ORAL)

1. The present revision petition has been filed for setting aside order dated 17.05.2025 passed by learned Additional District Judge, Ludhiana, whereby, the application under Order 1 Rule 10 CPC filed by the petitioner has been dismissed.

2. Learned counsel for the petitioner contends that the application under Order 1 Rule 10 CPC filed by the petitioner has wrongly been dismissed by learned Additional District Judge, Ludhiana, without appreciating the facts and evidence on record. He, therefore, prays for setting aside the impugned order dated 17.05.2025 passed by learned Additional District Judge, Ludhiana.

3. I have heard learned counsel for the petitioner and perused the case file with his able assistance.

**CR-6176-2025 (O&M)****-2-**

4. A perusal of the file shows that the petitioner filed application under Order 1 Rule 10 CPC by stating therein that she came to know about the appeal recently and she is real sister of plaintiff/appellant Amar Singh and as per family settlement dated 09.01.2020 registered on 15.01.2020, plaintiff/appellant Amar Singh had admitted the petitioner as owner of suit property to the extent of 50%. Therefore, she has prior right over the part of suit property measuring 1090 Square Yards and as such being necessary party, she be impleaded in the appeal. It was further pleaded by her that civil suit bearing No.1026 of 2021 is already pending between the petitioner and Gagandeep Kaur before learned Civil Judge at Bilaspur, District Yamuna Nagar, Haryana. In this response, the contentions of the petitioner were denied by the respondent. A perusal of the file further shows that the litigation initiated by the appellant-Amar Singh pertains to the year 2001 and his right in the suit property was denied by the respondents. Further, the civil suit regarding property in question is already pending between the petitioner and legal representative of appellant-Amar Singh, namely, Gagandeep Kaur before learned Civil Judge at Bilaspur, District Yamuna Nagar, Haryana and document on the basis of which, the petitioner is asserting her right in half share in the suit property is already in question before the court of law. Further, the family settlement relied upon by the petitioner is stated to be forged and fabricated document.

5. In view of the above, since the petitioner has separate cause of action, therefore, I do not find any infirmity or illegality in the impugned

**CR-6176-2025 (O&M)****-3-**

order dated 17.05.2025 passed by learned Additional District Judge, Ludhiana, and the same does not warrant any interference by this Court. Consequently, the said impugned order dated 17.05.2025 is upheld and the present petition is hereby **dismissed**.

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

(SUDEEPTI SHARMA)
JUDGE

10.09.2025

Virender

Whether speaking/non-speaking : Yes/No

Whether reportable : Yes/No