



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

111

CR-6482-2024

Decided on: 15.02.2025

Anuradha Aggarwal

... Petitioner

Versus

Prabhjit Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Ms. Shusamrit Kaur, Advocate for
Mr. Dilpreet Singh Gandhi, Advocate
for the petitioner.

Ms. Vaishali Thakur, Advocate for
Mr. Balbir Singh Jaswal, Advocate
for respondent Nos. 1 to 4.

VIKAS BAHL, J.(ORAL)

1. The present Civil Revision Petition has been filed under Article 227 of the Constitution of India read with Section 151 CPC for setting aside the impugned order dated 24.05.2024 (Annexure P-4) passed by the trial Court vide which the application filed by the petitioner for getting herself impleaded as defendant in the suit has been dismissed.

2. Learned counsel for the petitioner has submitted that the petitioner has purchased the property during the pendency of the suit and thus, at any rate, the petitioner has a right to join the proceedings from the stage at which the suit is at present, as per the provision under Order 22 Rule 10 CPC and as per the settled law. It is further submitted that even in case, the petitioner is not to be impleaded under Order 1 Rule 10, then at least the petitioner should have been permitted to join the proceedings



from the stage the suit is at present in accordance with the abovesaid provision under Order 22 Rule 10.

3. Learned counsel for respondent Nos.1 to 4 has submitted that in the present case, the petitioner has filed an application under Order 1 Rule 10 and not under Order 22 Rule 10.

4. Learned counsel for the petitioner has submitted that in view of the above, the petitioner be permitted to withdraw the present petition with liberty to file an application under Order 22 Rule 10 to join the proceedings from the stage where they are at present. It is further submitted that the said application will be filed within a period of 10 days from today and on the petitioner doing so, the said application be decided before proceeding further in the matter.

5. Keeping in view the abovesaid facts and circumstances, the present petition is dismissed as withdrawn with liberty to the petitioner to move an application under Order 22 Rule 10 to join the proceedings at the present stage. In case, such an application is filed within a period of 10 days from today, then the trial Court is directed to first decide the said application, in accordance with law.

15.02.2025

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/~~No~~
~~Yes~~/No

(VIKAS BAHL)
JUDGE