



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

123

**CR-2513-2026 (O&M)
Date of decision:18.03.2026**

AJAY SHRIVASTAVA AND ANR.

...PETITIONERS

VERSUS

ASHOK THAKRAN AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Sukhwinder Singh Sudan, Advocate with
Mr. Aman, Advocate
for petitioners.

PARMOD GOYAL, J. (ORAL)

Present civil revision under Article 227 of the Constitution of India has been preferred by petitioners-defendants being aggrieved by impugned order dated 07.11.2025 (Annexure P-1) passed by learned Civil Judge (Junior Division), Gurugram, whereby application under Order XXII Rule 10 read with Order I Rule 10 of Code of Civil Procedure, 1908 seeking impleadment as plaintiff being transferee *pendente lite* has been allowed.

2. Admittedly, respondents No.1 to 3 had preferred a suit seeking possession of suit land measuring 1396.25 sq. yds. It was the case of respondent No.4 (newly added respondent) that during the pendency of suit for possession, respondent No.4 had purchased a big chunk of land along with suit land and therefore it is he who shall be entitled to get possession as he has become owner of suit property and accordingly sought its impleadment.

3. The learned trial Court accepting the fact that respondent No.4

is transferee *pendente lite* has allowed the application.

4. Learned counsel for petitioners-defendants has challenged impugned order on two grounds. Firstly, that different pleas have been taken by respondents in their application whereas sale deed only shows purchase of land to the extent of 36 kanals 19 marlas, whereas, respondent No.4 had taken plea that he had purchased 39 kanals 08 marlas. Learned counsel for petitioners-defendants further states that the sale deed does not cover the suit property rather covers adjoining property to the suit. Secondly, that the rights of respondent No.4 are not required to be determined separately as he is not transferee *pendente lite* and would be governed by consequences of suit preferred by respondent Nos.1 to 3.

5. On consideration, I do not find any error in order dated 17.11.2025 (Annexure P-1). Complete reading of application preferred by respondent No.4 clearly shows that he has claimed to be transferee *pendente lite*. Whether sale deed covers the suit land or not can only be determined after evidence is led by both the parties and not at this stage. Therefore, the claim of petitioners-defendants that the suit land is not covered by sale deed relied upon by respondent No.4 cannot be accepted at this stage as claim of respondent No.4 to be transferee *pendente lite* by itself, is sufficient to allow his application as it is respondent No.4 being owner is claiming possession of suit land. This however shall be subject to evidence led by parties and present petitioners-defendants shall be free to take all pleas including plea that respondent No.4 is not the owner of suit property.

- 6. Revision petition is accordingly dismissed.
- 7. Pending application(s), if any, stand disposed of.

(PARMOD GOYAL)
JUDGE

18.03.2026
Sunil Chander

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No