



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(124)

CR No. 3736 of 2026 (O&M)

Date of Decision : 04.05.2026

Gurjit Singh Since deceased through LRs

...Petitioners

Versus

Kartar Singh since deceased through his LRs and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Ms. Monika Thakur, Advocate and
Ms. Deeksha, Advocate
for the petitioners.

Amarinder Singh Grewal, J. (Oral)

CM-9182-CII-2026

Present application has been filed for placing on record photocopies of Annexure P-1 to Annexure P-6 and exemption from filing certified copies of all the annexures.

Application is allowed and photocopies of Annexure P-1 to Annexure P-6 are taken on record with all just exceptions.

CR-3736-2026

1. The present civil revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 11.03.2026 (Annexure P-5) passed by the learned Civil Judge (Junior Division), Ludhiana, whereby the application filed by the petitioner under Order 1 Rule 10 CPC for impleadment of defendants No. 4 and 5 as co-defendants in the suit has been dismissed.



2. Briefly stated, the petitioner–Gurjit Singh (through his legal representatives) instituted a suit for possession of the suit property on the basis of sale deeds dated 18.04.2001 and Wasika No. 7390 dated 06.11.2009, along with a consequential relief of permanent injunction restraining defendants No. 1 and 2 from alienating or parting with possession of the suit property. During the pendency of the suit, the petitioner moved an application under Order 1 Rule 10 CPC for impleadment of Gurmeet Singh, which was allowed vide order dated 05.07.2025, and Gurmeet Singh was arrayed as defendant No. 3.

3. Subsequently, the petitioner filed another application under Order 1 Rule 10 CPC seeking impleadment of Gurdeep Singh Butter and Charanjit Singh as defendants No. 4 and 5. The said application was contested by defendant No. 3 and came to be dismissed by the learned trial Court vide the impugned order dated 11.03.2026.

4. Learned counsel for the petitioner has contended that in the written statement filed by defendant No. 3–Gurmeet Singh, a specific plea has been taken that he is a co-sharer in the suit property along with his brothers, namely, Gurdeep Singh Butter and Charanjit Singh, each having a share in the property by virtue of a registered sale deed dated 02.09.2011. It is thus submitted that the said persons are necessary parties for effective and complete adjudication of the dispute.

5. I have heard learned counsel for the petitioner and have gone through the record with her able assistance.



6. In view of the nature of the order proposed to be passed, issuance of notice to the respondents is dispensed with, as the same would only delay the proceedings.

7. A perusal of the written statement filed by defendant No. 3 reveals that a categorical stand has been taken regarding co-ownership of the suit property with Gurdeep Singh Butter and Charanjit Singh. Once such a plea has been raised by an existing defendant, the presence of the said persons becomes necessary for proper and complete adjudication of the controversy involved in the suit. The learned trial Court, therefore, was not justified in dismissing the application for impleadment.

8. Accordingly, the impugned order dated 11.03.2026 (Annexure P-5) is set aside. The application filed by the petitioner under Order 1 Rule 10 CPC is allowed, and the learned trial Court is directed to implead Gurdeep Singh Butter and Charanjit Singh as defendants No. 4 and 5 in the suit.

9. The present revision petition is allowed in the aforesaid terms.

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

May 04, 2026
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(AMARINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No