

2026:PHHC:029494



CR-3758-2022(O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-3758-2022(O&M)

Date of decision : 24.02.2026

Chunni Lal and another

... Petitioners

Versus

Municipal Corporation, Gurgaon and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Amit Jain, Advocate
for the petitioners.

Mr. Raj Partap Singh Brar, AAG, Haryana.

Mr.Anuj Goyal, Advocate
for respondent no.4.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 12.07.2022 (Annexure P-5) passed by the Civil Judge (Jr.Div.), Gurugram, vide which the application under Order 1 Rule 10(2) read with Section 151 CPC filed by respondent no.4/applicant Mukesh Kumar for impleading him as party / defendant no.4 has been allowed.

2. Learned counsel for the petitioners has submitted that the petitioners had filed a suit for declaration, permanent injunction and mandatory injunction against respondents no.1 to 3 and they were not



claiming any relief against respondent no.4 yet respondent no.4 at the stage of defendant evidence moved an application for being impleaded as defendant on the plea that he was the owner of khasra no.21/9/1(1-3) situated in village Sukhrali, Tehsil and District Gurgaon, without annexing any proof regarding the same. It is submitted that vide the impugned order, respondent no.4 has been made party in spite of the fact that the trial Court had observed that no document has been shown that defendant no.4 is owner of the suit property. It is argued that the petitioners are dominus litis and since the petitioners are not claiming any relief against respondent no.4, thus, they cannot be forced to litigate against respondent no.4. It is further submitted that impleadment of respondent no.4 would lead to unnecessary delay in the proceedings as the case is fixed for rebuttal evidence and arguments and the evidence of defendants is complete.

3. Learned counsel for respondent no.4, who is the main contesting party, has submitted that in fact respondent no.4 is the owner of the property in question and it is the petitioners who are interfering in his rights and has thus submitted that the impugned order be set aside but liberty be granted to respondent no.4 to institute appropriate proceedings / suit in order to protect his rights. It is submitted that allowing the present revision petition should not come in the way of respondent no.4 from pursuing his remedy / rights.

4. Learned counsel for the petitioners has submitted that in case, respondent no.4 institutes any proceeding against the petitioners, then,



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liberty be also granted to the petitioners to raise all the pleas as are admissible in law.

5. Learned counsel for respondent no.3 has submitted that they are not a contesting party in the present revision petition as the issue is whether respondent no.4 is to be impleaded in the present case or not.

6. Keeping in view the above said facts and circumstances and the fair stand taken on behalf of the petitioners as well as contesting respondent no.4, the present revision petition is partly allowed and the impugned order dated 12.07.2022 is set aside. Respondent no.4 is granted liberty to institute appropriate proceedings / suit, in case any right of respondent no.4 is being infringed.

7. Allowing of the present revision petition and setting aside of the impugned order would not come in the way of respondent no.4 in pursuing his rights. In case, any such proceedings are instituted against the petitioners, it would be open to both the parties to raise all pleas, in accordance with law.

(VIKAS BAHL)
JUDGE

February 24, 2026.
Davinder Kumar

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