



CR-6763-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(314)

CR-6763-2023

Date of decision: - 22.01.2026

Amarjeet Kaur

....Petitioner

Versus

Malkit Singh (since deceased) through LRs and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Kashish Sahni, Advocate
for Mr. Raghav Sharma, Advocate
for the petitioner.

VIKAS BAHL, J. (ORAL)

1. Present revision petition has been filed under Article 226/227 of the Constitution of India against the impugned order dated 06.09.2023 (wrongly has been mentioned in the headnote of the present revision petition as 06.10.2023) passed by the Civil Judge (Junior Division), District Kurukshetra, whereby application of impleadment of legal representatives of plaintiff/respondent No.1 was allowed.

2. It is not in dispute that co-plaintiffs including plaintiff No.1 Malkit Singh had filed a suit against the present petitioner/Amarjeet Kaur (defendant No.1) and Haryana Urban Development Authority for declaration with consequential relief of permanent injunction. It is also not disputed that plaintiff No.1-Malkit Singh had died on 16.07.2021 and an application for impleadment was filed. Vide the impugned order dated



06.09.2023, the trial Court had impleaded the said LR's and did not implead the present petitioner who was defendant No.1 in the suit although it was the plea of the present petitioner/defendant No.1 that she is the daughter of the said plaintiff No.1. The reason given by the trial Court was that the interest of the petitioner/defendant No.1 is adverse to the interest of plaintiff No.1, who had during his life time filed a suit against defendant No.1. The said reasoning is in accordance with law.

3. Learned counsel for the petitioner has submitted that the primary reason for filing the present revision petition is that the petitioner has the apprehension that in view of the observations made in the impugned order dated 06.09.2023, the rights of the petitioner to plead herself as the legal representative of Malkit Singh/plaintiff No.1 in the present proceedings and in other proceedings instituted, with respect to estate of plaintiff No.1 would be seriously prejudiced. It is further submitted that the said aspect be clarified.

4. It is a matter of settled law that impleadment of legal representatives in a suit is only for the purpose of pursuing the rights of the plaintiff/or the party to the suit. The mere impleadment of some of the legal representatives to pursue the suit is not to be construed as determining the entitlement of the said persons to inherit the estate of the plaintiff/party, who might have died. In a suit filed by Malkit Singh and others against the present petitioner, the *lis* is not as to who would inherit the estate of Malkit Singh, thus, the impugned order is upheld with the clarification that the impleadment of legal representatives by virtue of the



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impugned order is only for the purpose of pursuing the rights of the plaintiff No.1-Malkit Singh as stated in the plaint and the same would not be construed as adjudicating the rights of the parties to inherit the estate of Malkit Singh.

5. It would be open to legal representatives who were impleaded as well as defendant No.1/petitioner to raise all pleas with respect to the inheritance of estate of Malkit Singh in appropriate proceeding.

6. Disposed of.

January 22, 2026
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No