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

173

CR-8823-2025

Date of decision:12.01.2026

ANURAG VASHIST

...PETITIONER

versus

AISHWRYA VASHISHTH AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Ivneet Singh Pabla, Advocate
for petitioner.

PARMOD GOYAL, J. (ORAL)

Petitioner-defendant No.2 is aggrieved by impugned order dated 12.09.2025 (Annexure P-5) passed by learned Civil Judge (Junior Division), Bahadurgarh vide which an application under Order I sub-Rule 10(2) preferred by him to struck off his name from the array of parties was dismissed.

2. It is the case of petitioner that he had not inherited any property from predecessor of plaintiff or his own predecessor, rather the property mentioned in paragraph no.2(vi) of the plaint is self-acquired property purchased by him vide registered sale deed No.3195 dated 15.10.1988. Since the said property is not ancestral, no cause of action arises against petitioner and therefore name of petitioner be struck off from the suit.

3. Learned Court of first instance had dismissed the application on the ground that since petitioner had sought partition of property belonging to his grand-father, therefore, unless evidence is adduced regarding nature of property or that the property is not a joint property or was not purchased through joint funds, the name of petitioner cannot be deleted.

4. I do not find any error in the approach taken by Court of first instance. Merely claiming that the suit property was purchased from own funds by petitioner, would not be sufficient to dismiss suit at preliminary stage without



putting it through adjudicatory process. The issue whether suit property was joint property, ancestral property or property purchased from ancestral funds or is a self-acquired property is to be decided after evidence is led by parties. Therefore, the claim of petitioner seeking deletion of his name from arrays of parties and dismissal of suit qua him, cannot be accepted at this stage. No fault with impugned order can be found.

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

(PARMOD GOYAL)
JUDGE

12.01.2026
Sunil Chander

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