



**CR No. 6874 of 2025**

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

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**CR No. 6874 of 2025**

**DATE OF DECISION :- 26.09.2025**

**Subegh Singh alias Shabeg Singh Sandhu and others ...Petitioners**

**Versus**

**Iqbal Singh and others**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL**

**Present:-** Mr. Jasmail Singh Brar, Advocate for the petitioners.

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**VIRINDER AGGARWAL, J. (Oral)**

1. Petitioners in this civil revision filed under Article 227 of the Constitution of India has assailed the order dated 21.08.2025 passed by learned Civil Judge (Junior Division), Faridkot vide which the application filed by the petitioner to transpose them as co-plaintiffs with respondents No. 1 to 5 has been dismissed.

2. The suit has been filed by the respondents No. 1 to 5 for declaration claiming themselves entitled to allotment of land in lieu of land held by their predecessor Narain Singh in Pakistan before Narain Singh migrated to India after partition of the country and for mandatory injunction for directing defendants No. 1 to 3 to hand over the plaintiffs remaining 43 acres of land.

3. In the pedigree table part of plaint at para 4 respondents No. 1 to 5 plaintiffs has shown the petitioners as the descendants of Narain Singh having equal share and petitioners were impleaded in the plaint as proforma



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defendants. When petitioners appeared in the suit they filed application for transposing them as plaintiffs along with respondents No. 1 to 5. That application after contest was dismissed by the learned Civil Judge vide impugned order. The application was dismissed primarily on the grounds that respondent-plaintiffs are *dominus litis* and petitioners cannot be transposed as co-plaintiffs against the wish of respondent-plaintiffs. Reply filed by the respondent-plaintiffs clearly shows that the application was opposed only on the ground that petitioner who are impleaded as proforma defendants No. 4 to 7 had earlier not joined the plaintiffs at the time of filing of the suit and due to that reason they were joined as proforma defendants and that at this stage plaintiffs do not want to join proforma defendants as co-plaintiffs. The reply itself clearly shows that plaintiffs initially intended to join the petitioners as co-plaintiffs and further more the plaint clearly shows that the alleged rights of the plaintiffs are co-terminus with the petitioners and they are sailing in the same boat. So the learned Civil Judge has committed an illegality by not exercising the jurisdiction vested in the learned Civil Judge. As such the order passed by the learned Civil Judge is not sustainable. The same is set aside and the petition filed by the petitioners is allowed.

**(VIRINDER AGGARWAL)  
JUDGE**

**26.09.2025**

*P.Singh*

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No