



CR-5667-2025 (O&M)

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**0IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CR-5667-2025 (O&M)
Decided on :- 26.08.2025**

Har Sarup Singh

....Petitioner

VERSUS

Gautam Bhalla and Others

....Respondent

CORAM : HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Jagmohan Ghumman, Advocate for the petitioner.

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MANDEEP PANNU J.

1. This revision petition has been filed by the petitioner for setting aside the impugned order dated 14.07.2025 passed by the learned Additional District Judge, Gurugram, whereby three applications filed under Order I Rule 10 read with Section 151 of the Code of Civil Procedure, 1908 (for short, 'CPC') seeking impleadment of subsequent vendees as parties to the pending civil appeal were dismissed.

Brief facts

2. The original suit, titled "*Ram Kala and Others v. Gautam Bhalla & Others*", was dismissed vide judgment and decree dated 11.01.2019. The plaintiffs thereafter preferred an appeal before the Lower Appellate Court. During the pendency of that appeal, the petitioner-Har Sarup Singh and other appellants moved successive applications for impleadment of purchasers to whom certain respondents allegedly transferred portions of the suit property through sale deeds and an exchange deed.

3. The case of the appellants was that respondents, without having valid title, executed transfers in favour of third parties, who are necessary for the



complete and effective adjudication of the appeal. It was further alleged that the transactions were designed to defeat the pending litigation and create third-party interests.

4. The respondents contested the applications, asserting that the transfers were lawful and the subsequent purchasers are already bound by the result of the pending litigation, and that their impleadment would unnecessarily delay the disposal of the appeal.

Findings of the Lower Appellate Court

5. The learned Lower Appellate Court dismissed all three applications and held that the subsequent purchasers are *lis pendens* transferees, whose rights are entirely subject to the outcome of the litigation between the original parties. Reliance was placed on Section 52 of the Transfer of Property Act, 1880 (for short, the Act') which embodies the doctrine of *lis pendens*. It was observed that the subsequent purchasers derive no independent title beyond that of their vendors, and their rights will automatically be governed by the final adjudication of the pending appeal. The Court further held that there is no requirement in law to implead every transferee *pendente lite*, particularly when such impleadment would only delay the proceedings.

Submissions of learned counsel for the petitioner

6. Learned counsel for the petitioner argued that the subsequent vendees are necessary parties for effective adjudication and to avoid multiplicity of proceedings, especially since the transfers were allegedly effected on the basis of a fabricated General Power of Attorney. It was contended that their impleadment is essential to prevent them from later claiming bona fide purchaser status.



Findings

7. I have heard learned counsel for the petitioner and carefully examined the record. I find no ground to interfere with the impugned order.

8. The central issue in the pending appeal is “whether the respondents had valid and transferable interest in the suit property?” This question will be decided on merits. Once that adjudication is made, the legal consequences will automatically extend to any subsequent transferee who derives title from the respondents. The subsequent purchasers have purchased *pendente lite* and thus fall squarely within the ambit of Section 52 of the Act.

9. It is a well-settled principle of law that any transfer made during the pendency of litigation relating to immovable property is hit by the doctrine of *lis pendens* under Section 52 of the Act. The doctrine does not invalidate the transfer, but it renders the rights of the transferee subject to the result of the pending litigation. A transferee *pendente lite* acquires no better title than that of his vendor and is bound by the decree passed in the pending proceedings, whether or not he is impleaded as a party.

10. In this context, the impleadment of such transferees is not mandatory. They are neither necessary parties, whose presence is essential for the effective adjudication of the dispute, nor proper parties, whose presence would facilitate the resolution of issues between the original parties. The controversy between the appellants and respondents can be completely adjudicated without impleading subsequent purchasers, as their derivative rights will be decided automatically by operation of law.

11. Allowing impleadment of every subsequent purchaser in long-pending appeals would only encourage endless delay and multiplicity of interlocutory



proceedings, thereby frustrating the expeditious disposal of the main lis. The law is clear that subsequent purchasers cannot obstruct or alter the course of a pending litigation.

12. In the present case, therefore, the learned Lower Appellate Court has rightly held that impleadment of the vendees is not necessary. The petitioner has failed to demonstrate how the absence of such parties would prejudice his rights or prevent effective adjudication of the pending appeal.

Conclusion

13. For the reasons mentioned above, this Court finds no illegality or perversity in the impugned order dated 14.07.2025. The revision petition being devoid of any merit is accordingly dismissed.

14. Pending application(s), if any, also stand disposed of.

August 26, 2025
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(MANDEEP PANNU)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No