

2025:PHHC:078758



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206

CR-1930-2025 (O&M)

Date of Decision : 03.07.2025

HARBHAJAN SINGH AND ANR

.... Petitioners

VERSUS

JAI SINGH AND ORS.

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Sangram Saron, Advocate and
Mr. M.B. Rajwade, Advocate for the petitioners.

Mr. Lalit Kumar Yadav, Advocate for
Mr. Chirag Sharma, Advocate for respondent No.1.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India impugning the order dated 30.01.2025 (Annexure P-21) passed by the learned Civil Judge (Senior Division), Yamuna Nagar at Jagadhri whereby the application filed by plaintiff-respondent No.1 herein under Order I Rule 10 CPC for impleading the petitioners herein as party defendants in Civil Suit No.CS/2910/2024 was rejected.

2. Brief facts relevant to the present *lis* are that plaintiff-respondent No.1 filed a suit for pre-emption of land measuring 40 Bigha 19 Biswas comprised in Khasra No.1294/1, 1295/1, 1296, 1297/1, 1298/1, 1303 to 1307 of Khewat/Khatauni No.108/203 and 1 Bigha 9 Biswa out of Khewat/Khatauni No.109/204 according to the jamabandi for the year 2002-03 situated within the Revenue Estate of Mauza Khanpur Hadbast No.439, Tehsil Jagadhri, District Yamuna Nagar. Plaintiff-respondent No.1 himself

filed an application under Order I Rule 10 CPC for impleading Smt. Pushpa Devi, Suman Lata, Harbhajan Singh and Surinder Singh as parties to the *lis* on the ground that during the pendency of the suit, defendant No.1 had transferred the suit property to Smt. Pushpa Devi and Suman Lata who had further transferred the same to Harbhajan Singh and Surinder Singh. Vide impugned order dated 30.01.2025 the Trial Court partly rejected the application holding it to be a case of *lis pendens*. Aggrieved by the same, the petitioners, who are the purchasers from Smt. Pushpa Devi and Suman Lata, have filed the present revision petition.

3. Learned counsel for the petitioners would contend that neither the petitioners nor plaintiff-respondent No.1 have any objection to their being impleaded as parties being *bonafide* purchasers and that the application for impleadment itself was filed by plaintiff-respondent No.1 himself who is *dominus litis* and therefore the application ought to have been allowed.

4. Learned counsel for plaintiff-respondent No.1 admitted that plaintiff-respondent No.1 had himself filed the application and that he would have no objection if the present revision petition is allowed.

5. In view of the above, the present revision petition is allowed. Accordingly, the impugned order dated 30.01.2025 is set aside and qua the petitioners, the application under Order I Rule 10 CPC is accordingly allowed in toto. Pending applications, if any, also stand disposed off.

03.07.2025

Aman Jain

NOTE:

Whether speaking/non-speaking: Speaking

Whether reportable: Yes/No

(ALKA SARIN)

JUDGE