



RSA No. 585 of 1993

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

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DATE OF DECISION :- 18.08.2025

Chander Bhan**...Appellant****Versus****Om Pal and others****...Respondents****CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL****Present:-** Mr. Ashok Verma, Advocate for the appellant.

Mr. Mohnish Sharma, Advocate for the respondents.

VIRINDER AGGARWAL, J. (Oral)**CM-2352-C-2019**

1. The application has been filed for impleading applicant Ram Sarup son of Kanha as appellant No. 2 along with appellant Chander Bhan son of Chotu Ram on the grounds that Chander Bhan exchanged his 1/4th share in the suit land measuring 24 kanals in the year 1992 and Mutation No. 147 of 30.04.1992 was sanctioned in this regard. Appellant Chander Bhan filed a civil suit No. 482 of 13.03.1995 against applicant, which was decreed vide judgment and decree dated 25.03.1995. Respondents filed civil suit No. 1785 of 1995 against appellant and applicant challenging the exchange. The suit was dismissed vide judgment and decree dated 04.04.2001, copy of which is Annexure A1. An appeal has been filed by the respondents which is pending and the proceedings have been stayed vide order dated 19.09.2002, copy of which is Annexure A2. Now, since the applicant has stepped into the shoes of appellant Chander Bhan so he be impleaded as appellant No. 2 along with Chander Bhan to contest this Regular Second Appeal. The same was opposed by the respondents by filing written reply wherein appellants contested the



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exchange deed between appellant Chander Bahn and applicant and has also pointed out that they had already filed a suit challenging that exchange deed and the proceedings are pending before learned First Appellate Court, so the application be dismissed.

2. Now considering the fact that the applicant does not want to substitute himself with the appellant rather he wants to pursue the appeal along with the appellant on the grounds of exchange in his favour, mutation with regard to that has already been sanctioned. No doubt the exchange has been challenged by the respondents in a separate suit but proceedings of this application would not effect the fate of that other suit and any observation made in this order would not effect the merits of the suit filed by the respondents. The application for impleading applicant as appellant No. 2 is allowed. The amended memo of parties is already on record.

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1. Appellant Chander Bhan has died and none has come present to get himself impleaded as LR of Chander Bhan. The only appellant No. 2 present in the Court is Ram Sarup. Counsel for appellant Ram Sarup suffers a statement that he would not take possession of suit property except in due course of law.

2. So the appeal of the appellant is disposed of accordingly. The appeals pending before learned Additional District Judge would be decided on merits.

(VIRINDER AGGARWAL)
JUDGE

18.08.2025

P.Singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No