

**219 IN THE HIGH OF PUNJAB AND HARYANA AT CHANDIGARH****CR No.5375 of 2024 (O&M)****Date of Decision: September 02, 2025****Samay Singh****. . . . Petitioner**

Vs.

**Block Development and Panchayat Officer,
Sadhaura and others****. . . . RESPONDENTS****CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA****Present:-** Mr. Som Nath Saini, Advocate for the petitioner.

Mr. Rajbir Singh, DAG, Haryana.

DEEPAK GUPTA, J.

The petitioner, plaintiff in Civil Suit No. CS-239/2023 titled *Samay Singh v. Block Development & Panchayat Officer, Sadhaura and another*, pending before the learned Civil Judge (Jr. Divn.), Bilaspur, District Yamuna Nagar, is aggrieved by the order dated 20.08.2024 (Annexure P-6), whereby Paramjit Singh (respondent No.3) was impleaded as a party to the suit on his application under Order 1 Rule 10 CPC, despite the petitioner's objection.

2. The plaintiff claims to be owner in possession of a residential property situated in the *abadi deh* of village Sabhapur, Tehsil Bilaspur, District Yamuna Nagar (described in para 2 of the plaint). Under the Haryana Government's 'Swamitav Scheme', ownership rights in *abadi deh* were to be conferred. Initially, the map prepared by officials was incorrect, whereupon objections were filed. A second map prepared by drone which was correct, but a third map with attribute table prepared by the defendants was again erroneous. The plaintiff, therefore, sought declaration that the map and

attribute table prepared by the defendants under the scheme were null and void and not binding upon his ownership rights.

3. The defendants—Block Development & Panchayat Officer, Sadhaura and the Gram Panchayat, Village Sabhapur contested the claim. At this stage, Paramjit Singh (respondent No.3) moved an application under Order 1 Rule 10 CPC, alleging that the plaintiff, in collusion with the Gram Panchayat, sought to grab the village *gali* and common property; that earlier two suits by the plaintiff regarding the same property had already been dismissed, but this fact was suppressed by the Sarpanchy of defenant - Gram Panchayat. Claiming to be a permanent resident of the village and interested in protecting Panchayat property, he sought impleadment. Despite opposition by the plaintiff, the trial Court allowed the application.

4. Assailing the order, learned counsel for the petitioner contended that the plaintiff, being *dominus litis*, cannot be forced to litigate against a party against whom no relief is sought, particularly when respondent No.3 has no concern with the residential property in dispute.

5. Learned State counsel for respondent No.1 supported the impugned order. The Gram Panchayat and Paramjit Singh (respondents No.2 and 3) were proceeded ex parte.

6. This Court has considered rival submissions and examined the record.

7. The plaintiff asserts ownership over the residential property, whereas respondent No.3 claims that it forms part of the village *gali* and *abadi deh* of the village. If the plaintiff is found to be owner in possession, respondent No.3 will have no concern; however, if the property is found to be common land, respondent No.3, being a co-villager, would have a legitimate interest in safeguarding it. The question whether the plaintiff's earlier suits related to the same property is a matter of evidence, but the application indicates that respondent No.3 is at least a proper party. His

impleadment causes no prejudice to the plaintiff and, in fact, will facilitate effective adjudication of all questions in controversy.

8. In these circumstances, the impugned order suffers from no illegality or perversity. The petition, being devoid of merit, is accordingly dismissed.

September 02, 2025

Sarita

(DEEPAK GUPTA)

JUDGE

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No