

17 CS DJ 528/18 VINITA SINGHAL Vs. MANGE RAM SHARMA

04.02.2026.

Present: **Mr. Rohan Nagar**, Ld. Proxy Counsel for the plaintiff.
None for defendant.
None for proposed defendant.

Though VC is operating, it seems stuck. Further, no reply to the application u/o 1 Rule 10 CPC is filed by the proposed defendant till time. Accordingly, **right of the proposed defendant to file reply to the application u/o 1 Rule 10 CPC is hereby closed.**

Now, arguments on application u/o 1 Rule 10 CPC are heard and record is perused carefully.

Vide this application, proposed defendant Rupak Sharma is intended to be impleaded as defendant since in the written statement, defendant has disclosed that during the pendency of the suit, more specifically on 29.08.2022, he has sold the property to Rupak Sharma. Plaintiff has filed the present suit for seeking specific performance, possession and permanent injunction. Specific performance is being sought in respect of the suit property against the defendant. Now, since as per defendant, he has sold the same property to Rupak Sharma, right title or interest have been created/transferred by defendant in favour of the proposed defendant. So, this Court is of the view that effective decree could not be passed by this Court in the absence of Mr. Rupak Sharma and Rupak Sharma is **necessary and proper party to the suit.** Accordingly, **application in hand is hereby allowed and Rupak Sharma is hereby impleaded as new defendant. Plaintiff is at liberty to file amended plaint within 15 days after supplying advance copies to the defendant including newly impleaded defendant against acknowledgment. Thereafter, written statement be filed within 30 days by newly impleaded defendant after supplying advance copy to the opposite counsel against acknowledgment.**

Now, put up for further proceeding for **03.06.2026.**

(Aanchal)
District Judge-03, Rohini Courts
North District, Delhi
04.02.2026(amt)