

CNR No:CHCH020024822023 CASE No:CS CJ-1344-2023

**MANPREET SINGH Vs UNITED KNOWLEDGE EDUCATION
CONSULTANTS PVT LTD**

Present: Sh.Rajbir S.Guron, Advocate for the plaintiff.
Sh. Mahir Sood, Advocate for the defendants No.1 & 2.

ORDER:-

This order shall dispose of the application filed by defendant No.2 under Order I Rule 10 read with Section 151 of the Code of Civil Procedure, 1908, seeking deletion of his name from the array of parties.

2. The applicant submits that he has been impleaded only because he is a Director of defendant No.1 Company and is neither a signatory to the lease deed nor personally liable under the contract. It is contended that no cause of action has been disclosed against him and that he is neither a necessary nor a proper party.

3. On notice, the plaintiff has opposed the application by contending that defendant No.2 is actively managing the affairs of defendant No.1, company and was responsible for the acts complained of in the plaint. It is submitted that the controversy cannot be completely and effectively adjudicated without his presence and that the application has been filed only to delay the proceedings.

4. I have heard learned counsel for the parties and perused the record.

5. At this stage of the proceedings, this court is not required to finally determine/adjudicate the liability of defendant No.2. The question here is whether his presence is necessary or proper for an effective and complete adjudication of the issues involved. The pleadings indicate that

defendant No.2 is alleged to be in charge of and responsible for the affairs of defendant No.1, company in relation to the transaction in question. Whether any personal liability ultimately arises against him is a matter to be determined after the parties have led evidence. The power under Order I Rule 10 CPC is discretionary. Where the presence of a party may *assist the court in effectively and completely adjudicating the controversy*, such party need not be deleted at the threshold. At this stage, it cannot be conclusively held that defendant No.2 has been unnecessarily impleaded.

6. Accordingly, this court is of the considered opinion that no ground is made out for deletion of defendant No.2 from the array of parties at this stage. The application filed by defendant No.2 under Order I Rule 10 read with Section 151 CPC is **dismissed**. Nothing observed herein shall be construed as an expression on the merits of the case, and all questions regarding the liability of defendant No.2 shall remain open for adjudication after the parties lead evidence.

7. Now to come up on **13.10.2026** for filing written statement by defendant No.2 as well as for filing replication to the written statement of defendant No.1, by plaintiff.

Note: Certified that both the 2 pages of this order are signed and dictated by me, which are typed by Stenographer directly on computer.

Pronounced in open court:
05.08.2026

(Kaushal Kumar Yadav)
Civil Judge Junior Division
Chandigarh, UID No.HR0530