



2026:CGHC:14842



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WP227 No. 364 of 2026

1 - Dhaniram S/o Late Chintaram, Caste- Teli, R/o Village- Pavni, Tahsil- Bilaigarh, District- Sarangarh-Bilaigarh, C.G. (Plaintiff)

... Petitioner(s)

versus

1 - Yagyanarayan S/o Late Shobhit Ram Caste- Teli, R/o Village- Pavni, Tahsil- Bilaigarh, District- Sarangarh-Bilaigarh, C.G. (Defendant)

2 - Bhupendra S/o Late Shobhit Ram Caste- Teli, R/o Village- Pavni, Tahsil- Bilaigarh, District- Sarangarh-Bilaigarh, C.G. (Defendant)

3 - Revti D/o Late Shobhit Ram Caste- Teli, R/o Village- Pavni, Tahsil- Bilaigarh, District- Sarangarh-Bilaigarh, C.G. (Defendant)

4 - State Of Chhattisgarh Through The Collector, Sarangarh, District- Sarangarh-Bilaigarh, C.G. (Defendant)

5 - Kamlesh Singh S/o Maniram Sahu Aged About 40 Years R/o Village- Pavni, Tahsil- Bilaigarh, District- Sarangarh-Bilaigarh, C.G. (Proposed Def.)

6 - Dinesh Singh S/o Maniram Sahu Aged About 48 Years R/o Village- Pavni, Tahsil- Bilaigarh, District- Sarangarh-Bilaigarh, C.G.

7 - Digeshwar Singh S/o Maniram Sahu Aged About 38 Years R/o Village- Pavni, Tahsil- Bilaigarh, District- Sarangarh-Bilaigarh, C.G.

... Respondent(s)

For Petitioner(s) : Mr. C. R. Sahu, Advocate.

For Respondent-State : Ms. Richa Sahu, Panel Lawyer.



Hon'ble Shri Justice Ravindra Kumar Agrawal, J.

Order on Board

30/03/2026

1. Heard.
2. Present is a writ petition under Article 227 of the Constitution of India filed by the petitioner against the order dated 18.02.2026 passed by learned Civil Judge Junior Division, Bilaigarh, District-Sarangarh-Bilaigarh in Civil Suit No. 01-A/2025, whereby the application filed by the intervenors under Order 1 Rule 10 of CPC for impleading them as a party defendant in the suit was allowed and the plaintiff has been directed to implead the intervenors as the party defendant in the civil suit.
3. Learned counsel for the petitioner would submit that the petitioner is a plaintiff before the learned trial Court who is prosecuting a civil suit for declaration of title and permanent injunction against the original defendants with respect to the suit land Khasra No. 2936/1-A/1 area 0.032 hectare situated at village Pavni, Tahsil Bilaigarh, District-Sarangarh-Bilaigarh. The said land was recorded in the name of one Garjan Teli and after his death his two sons Bharatlal and Shatrughan were in possession of the same. In the year 1988, they exchanged their land and over the suit land the plaintiff had gone to Delhi to earn his livelihood in the year 1990. By their exchange deed the plaintiff is in possession of the suit land since more than 36 years but the defendants are trying to get their name mutated in the revenue records with the collusion of the revenue authorities, therefore, he filed the civil suit against the defendant. In the civil suit the proposed defendants/intervenors have filed an application that they are in possession of the suit land and interested party in the suit, therefore, they may also be arrayed as a party defendant in the suit so that they may protect their interest. He would further submits that the plaintiff is a dominus litis of the suit and the stranger cannot be made as a party defendant, yet the learned trial Court allowed the



application filed by the intervenors and directed them to be made as a party defendant in the suit. No any documents with respect to their title or possession over the suit land has been filed by them and only to delay the proceeding of the suit they have filed their application, therefore, impugned order may be set aside and their application may be rejected.

4. I have heard learned counsel for the petitioner and perused the material annexed with the petition.
5. The question involved in the present writ petition is whether the learned trial Court has rightly allowed the application under Order 1 Rule 10 of the CPC filed by the intervenors or not. From the perusal of the plaint, it transpires that the plaintiff is prosecuting a civil suit for declaration of title and permanent injunction against the original defendants, claiming that they are trying to get their names mutated and to dispossess the plaintiff from the suit land. During the pendency of the suit, the proposed defendants/intervenors filed an application on 12.06.2025, claiming that they are in possession of the suit land and are necessary parties to the suit, and that the plaintiff may be directed to implead them as parties. When the intervenors claim to be in possession of the suit land, and the plaintiff also claims possession and has sought relief of permanent injunction against the original defendants, a prima facie interest appears to be reflected in favour of the intervenors. The learned trial Court, considering the provisions of Order 1 Rule 10 of the CPC and in order to avoid multiplicity of litigation, directed that the intervenors be impleaded as party defendants in the suit to avoid any controversy. It is true that the plaintiff is the dominus litis of his suit; however, interested parties are also required to be impleaded in order to avoid a controversial decree and multiplicity of suits.
6. It is beneficial for the plaintiff also to determine the issue at one instance instead of filing any other suit against the person who are claiming to be in possession of the suit land allegedly claiming by the plaintiff whether or not



the proposed defendants may prove their claim before the learned trial Court depends upon the evidence produced by them during the trial.

7. I do not find any infirmity or illegality in passing of the order of the learned trial Court and to set aside the impugned judgment dated 18.02.2026.
8. Accordingly, the writ petition fails and is hereby **dismissed**.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Alok