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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 1573/2025 & CM APPL. 51703-51704/2025**

MUKESH NARAIN SHARMAPetitioner

Through: Mr. Shivam Goel with Ms. Ramya S
Goel, Ms. Sanya Sharma, Ms. Parul
Garg, Advocates with petitioner in
person.

versus

SHUBHAM JAIN & ORS.Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **21.08.2025**

1. Petitioner has moved an application under Order I Rule 10 CPC seeking his impleadment in the ongoing suit which seeks specific performance of contract.
2. The grievance in the present petition is with respect to the dismissal of such application.
3. Learned counsel for petitioner/applicant submits that there was never any endeavor to change the nature of the suit and his sole request before the learned Trial Court was to the effect that the applicant is a necessary party because of the fact that the subject shop, having No. 2355 (new), is also subject matter of the suit for specific performance and such shop has already been held as temple property and is *inalienable*.
4. It is submitted that the abovesaid specific aspect has not been considered, which rather goes to the root of the matter because if the suit property is *inalienable*, the plaintiff (respondent herein) cannot seek specific performance of its purported sale.
5. Issue notice through all permissible modes as also through counsel,

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returnable on 19.09.2025.

6. However, it is clarified that there is no stay of proceedings, at the moment.

MANOJ JAIN, J

AUGUST 21, 2025/sw/PB