

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil First Appeal No. 112 / 1995

Niranjainsgh

----Appellant

Versus

Jasvinder Kaur

----Respondent

For Appellant(s) : Mr. VN Kalla

HON'BLE DR. JUSTICE VIRENDRA KUMAR MATHUR

Order

04/10/2017

The learned counsel for the respondent No.1 has moved an application under Section 151 CPC being I.A No.1706/2017 for dispensing with the service of respondent No.2/3 and 2/5.

Learned counsel for the appellant has objected to the filing of the application by the respondent for dispensing with the service of respondent No.2/3 and 2/5.

It is for the appellant to get the service of notice on the respondent No.2/3 and 2/5, therefore, the application filed by the respondent for dispensing with the service of respondent Nos.2/3 and 2/5 is not maintainable. Hence, the same is rejected.

Application No.1136/2017 was filed by the respondent No.1 under Order 1 Rule 10 CPC for impleading the subsequent purchasers as a party respondent. The name of such subsequent purchaser as mentioned in para No.7 of the application. Second application No.1668/17 was also filed by the respondent No.1

under Order 1 Rule 10 CPC on the same facts.

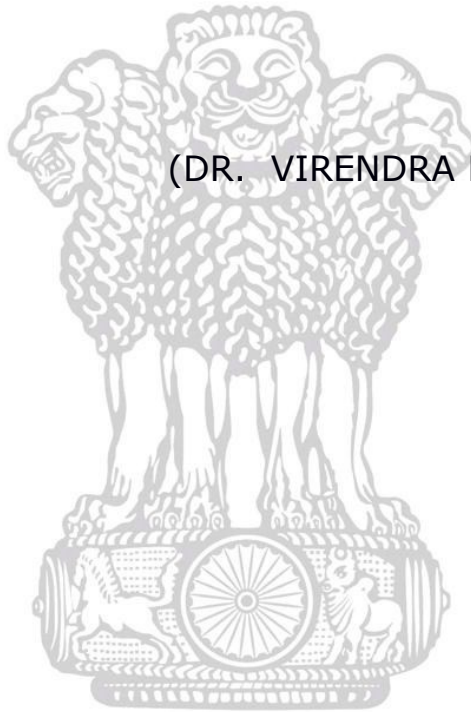
In this case the first application is still pending and on the same fact the second application was moved. The second application I.A. No.1668/2017 is not maintainable and the same is rejected.

The first application I.A. No.1136/2017 under Order 1 Rule 10 CPC for impleading the subsequent purchaser in the array of respondent as moved by the respondent No.1 shall be decided at the time of final hearing of the case.

Learned counsel for the appellant is directed to file fresh PF and notices for service of respondent Nos. 2/3 and 2/5.

(DR. VIRENDRA KUMAR MATHUR)J.

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