


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

D.B. Spl. Appl. Writ No. 361/2022

Rajasthan Housing Board

----Appellant

Versus

Hema Ram

----Respondent

Connected With

D.B. Spl. Appl. Writ No. 426/2022

For Appellant(s)	:	Mr. Manish Shishodia, Sr. Advocate assisted by Mr. Jaideep Singh Saluja
For Respondent(s)	:	Mr. Moti Singh Mr. Ravindra Jala Mr. Rajeev Purohit

**HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR
HON'BLE MS. JUSTICE REKHA BORANA**

Order

18/10/2024

(I.A. Nos.01/2024)

Pleading that it is the subsequent purchaser, Adinath Buildwell has moved these applications seeking impleadment in the present special appeals.

2. These applications have been vehemently opposed by Mr. Manish Shishodia, the learned Senior Counsel appearing for the appellant-Rajasthan Housing Board on the ground that the subsequent purchaser shall be bound by the principle of *lis pendens* as incorporated in section 52 of the Transfer of Property Act, 1882 and therefore, this applicant cannot be permitted to intervene in the present proceeding.

3. Though we agree with the submission made by Mr. Manish Shishodia, the learned Senior Counsel appearing for the appellant-

Rajasthan Housing Board, we are of the opinion that the intervenor, namely, Adinath Buildwell may be permitted to address the Court on the legal issue only. We may further indicate that the intervenor shall not endeavour to raise any dispute on facts in the present proceeding and that liberty shall be especially reserved with the writ petitioners who are the respondents in the present proceeding and represented through the learned counsels Mr. Moti Singh & Mr. Rajeev Purohit.

4. I.A. Nos.1 of 2024 are allowed to the aforesaid extent.

5. The learned Senior Counsel appearing for the appellant-Rajasthan Housing Board submits that the controversy which was raised before the writ Court had already been decided by the judgment of Hon'ble Supreme Court in Ganpat Lal & Ors. Vs. State of Rajasthan & Ors.; SLP (C) No.3549/2019 (decided on 28.01.2019)

6. Post this matter under the heading "Final Disposal" on 24th October 2024.

(REKHA BORANA),J

(SHREE CHANDRASHEKHAR),J