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SLP(C)No. 20292-20293 OF 1997  
ITEM No.201

Court No. 3

SECTION IVB  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.20292-20293/1997

(From the judgement and order dated 12/05/1997 in CM 665-666/97  
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

JHALMAN SINGH & ANR

Petitioner (s)

VERSUS

MOHINDER SINGH (DEAD) & ORS.

Respondent (s)

( With appln. for deletion of the name of R-4 and for substitution to bring  
on record on behalf of R-1 and c/d in filing substitution appln.)  
( With prayer for interim relief )  
( For Final Disposal )

Date : 13/08/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s) Mr. KG. Bhagat, Adv.  
Mr. Vineet Bhagat, Adv.  
Ms. Sangeeta Gour, Adv.  
Mr. Debasis Misra, Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

Application for deletion of the name of deceased respondent No.4 is allowed.  
Delay condoned.  
substitution allowed.  
Leave granted. The appeals are disposed of.

(S. Thapar) (V.P. Tyagi)  
PS to Registrar Court Master

The signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS..... OF 2004  
(Arising out of SLP(C)Nos. 20292-20293/1997)

Jhalman Singh & Anr.

Appellant (s)

Versus

O R D E R

Application for deletion of the name of deceased respondent No.4 is allowed.

Delay condoned.

substitution allowed.

Leave granted.

An affidavit has been filed by Shri Banta Singh stating that R.S.A. Nos. 551 and 552 of 1995 are still pending before the High Court of Punjab & Haryana and legal representatives of the deceased respondents Mohinder Singh and Chanan Singh have been brought on record.

By the impugned order, the application of the appellants, filed under Order I Rule 10 for being impleaded as respondents in R.S.A. Nos 551 and 552 of 1995 on the ground that they were purchasers of the property in question, was dismissed by the High Court. This Court while issuing notice in terms of Order dated 10th November, 1997 passed the following Order:

"Issue notice for final disposal of the SLP calling upon the respondents to show cause why the petitioners who are admitted purchasers affected by the lis-pendents should not be permitted to join as parties to make the Court's decision more effective and workable."

The respondents have not shown any cause. In our view, on the facts of the present case and in absence of any cause having been shown, it would be just and proper to implead the appellants as respondents in the aforesaid R.S.As. Accordingly, we set aside the impugned order and implead petitioner/appellants as parties in the R.S.As. in terms as prayed in the application filed in the said appeals which are pending before the High Court.

The appeals are disposed of accordingly.

.....J  
(Y.K. Sabharwal)

.....J  
(D.M. Dharmadhikari)

New Delhi,  
August 13, 2004