
(2013) 08 RAJ CK 0073
In the Rajasthan High Court
Case No : Civil Writ Petition No. 10774 of 2013

Jetha Ram

APPELLANT

Vs

Ratan Devi and Others

RESPONDENT

Date of Decision : 29-08-2013

Acts Referred:

Citation : (2014) 1 WLN 302

Hon'ble Judges : Govind Mathur, J

Bench : Single Bench

Advocate : Pradeep Choudhary, for the Appellant;

Final Decision : Dismissed

Judgement

Govind Mathur, J.—This petition for writ is preferred to challenge the order dt. 01.08.2013 passed by learned Additional District Judge No. 2, Bikaner accepting an application preferred by the plaintiff-respondent Ratan Devi as per the provisions of Order 22 Rule 10 and Order 1 Rule 10 of the Code of Civil Procedure. By the order aforesaid, learned trial Court allowed the plaintiff-respondent to join the present petitioner as a party respondent, who is a successor purchaser of the property in question.

2. It is submitted by learned counsel for the petitioner that the sale of the property in question was made in his favour on 02.01.2012 and on the same day the suit was filed, therefore, he will be abide by the judgment and decree in the suit that is contested by the original seller or the property, who is already a defendant in the suit concerned. I do not find any merit in the argument advanced. The suit was presented on 02.01.2012. On the same day the sale deed was executed. Learned trial Court just to avoid further complications and also with a view to allow opportunity of defence to the successor purchaser accepted the application. No error, as such, is committed by the trial Court that may warrant interference of this Court while exercising powers under Art. 227 of the Constitution of India. The petition for writ, therefore, is dismissed.