

CR-2227-2015 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CR-2227-2015 (O&M).
Decided on: March 31, 2015.**

Khuswant Kaur

..... Petitioner(s)

Versus

Gurdeep Singh and others

..... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Sunil Garg, Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL)

After death of Joginder Singh, a dispute regarding his estate appears to have arisen amongst his son Gurdeep Singh on one side and his three daughters Khuswant Kaur, Kuldeep Kaur and Swaran Kaur. Gurdeep Singh has filed two suits one suit claiming right in the FDRs left by his father and another suit claiming title of a house situated in Patiala, left by Joginder Singh. The sisters have filed a suit for declaration and permanent injunction pertaining to the FDRs and the house which forms subject matter of the two suits filed by Gurdeep Singh against his sisters. An application moved by the petitioner for consolidation of all the three suits has been dismissed vide order dated 10.12.2014 on the ground that the extent of shares and the reliefs claimed in three suits is different and the application filed by the petitioner is meant to linger on the proceedings before the

trial Court.

With the assistance of the counsel for the petitioner, I have gone through the contents of the three complaints and I am of the opinion that the basic dispute amongst the family members is regarding the inheritance of the property of Joginder Singh left in the shape of FDRs, house and other articles. It has been informed by counsel for the petitioner that all the three cases are being taken up simultaneously by the same Judge by fixing the same dates of hearing.

In view of said circumstances, I am of the opinion that the consolidation of two or more civil cases is always as per convenience of the trial Judge. It is always open to the Court to take up the cases between the same parties involving the similar questions of law and fact either simultaneously or to club the same after framing of issues.

Counsel for the petitioner submits that the pleadings in all the three cases are complete but at this stage, he is not aware whether the issues have been framed.

This petition is disposed of, at this stage, with liberty to the petitioner to move an application at a subsequent stage after passage of time for clubbing all the three cases depending upon issues framed in the three cases. It will be open to the trial Judge to consolidate or club together all the three cases or in the alternative to take up all the three cases simultaneously for the convenience of the

CR-2227-2015 (O&M)

parties at the time of production of evidence and documents and to decide all three cases pertaining to the inheritance by a single or three separate judgments.

March 31, 2015.
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(M.M.S. BEDI)
JUDGE