

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

Civil Revision No.3185 of 2011 (O&M)

Date of decision: 20.07.2015

Raj Kumar and others

... Petitioners

versus

Kishan Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Arun Abrol, Advocate,
for the petitioners.

None for the respondents.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ?No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (Oral)

1. There is no scope for interference with the order passed by the court staying further proceedings suo motu on being apprised of the fact that between the same parties in relation to the same subject matter, there is a proceeding before this court pending in second appeal. It is against this order that the plaintiff has come on revision.

2. The counsel admits that he is a party to the earlier suit in respect to the same subject matter and that the rights of parties have to be considered in the second appeal. However, he would contend

that he was not served in the suit that the decree is not binding on him. It is really a matter that should be considered in the second appeal which he has filed and I have no doubt in my mind that the adjudication in the second appeal will have direct bearing to the reliefs sought by the petitioner before the court below. The petitioner will be competent to point out to any defect in the decree in appeal which is pending before this court and he cannot have a new front opened in the suit before the conclusion of the proceedings in the second appeal.

3. I find no cause for intervention. Revision petition is dismissed.

(K.KANNAN)
JUDGE

20.07.2015
sanjeev