

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

**Civil Revision No.5625 of 2015
Date of Decision: August 31, 2015**

Jasmer Singh **Petitioner**

vs.

Mrs. Rajinder Kaur and others **Respondents**

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. G.S. Nagra, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 09.07.2015 (Annexure P-5) and order dated 16.10.2013 (Annexure P-6) passed by learned learned Civil Judge (Jr. Divn.), Jalandhar, whereby the application filed by the petitioner-defendant under Section 10 CPC for stay of proceedings of suit filed by the respondent-plaintiff, was dismissed.

A perusal of the headnote of the both the suits (Annexures P-1 and P-2) shows that the case filed by Jasmer Singh at Nakodar is the suit for declaration that he is legally adopted son of Ujjal Singh and Rajinder Kaur-defendant No.1 and is owner in possession of 1/3rd share of the property of Ujjal Singh. The case

filed by Mrs. Rajinder Kaur at Jalandhar is with regard to declaration regarding the property of the Ujjal Singh on the basis of Will dated 13.08.2005.

I am of the view that the suit filed at Nakokdar is comprehensive suit where the entire property is involved whereas the suit filed at Jalandhar is limited to some property of Ujjal Singh.

Therefore, there is no ground to stay the second suit. However, the present petitioner can seek consolidation of both the suit or in the alternative, trial of the both the suits at one place.

Accordingly, the present revision petition is dismissed with aforesaid liberty.

August 31, 2015
sarita

(KULDIP SINGH)
JUDGE