

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

**CR No.8147 of 2015 (O&M)  
Date of decision: 02.12.2015**

Jagjit Singh

... Petitioner

Vs.

Lakha Singh and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. N.P.S.Mann, Advocate  
for the petitioner.

**AMIT RAWAL J. (Oral)**

Petitioner-defendant No.3 is aggrieved against the impugned order dated 10.11.2015, whereby, the application seeking consolidation of three civil suits referred in the impugned order, has been dismissed.

Mr. N.P.S.Mann, learned counsel appearing on behalf of the petitioner/defendant No.3 submits that in case, the suits mentioned in the application are not consolidated, it would create multiplicity, much less, amounts to rendering different judgments as the property involved is same one.

I have heard learned counsel for the petitioner/defendant No.3 and appraised the paper book.

The trial Court, in my view, has given very plausible reasoning in declining the application as one suit is for declaration

which has reached the stage of final arguments, another is for injunction which is at the stage of plaintiff's evidence and third suit had been dismissed in default, wherein, the application for restoration of the same is pending adjudication.

It is a cardinal principle, in case, the civil suits are consolidated and evidence is to be led in one case but two suits are for injunction and one for declaration, thus, injunction suit would not be deciding title, as it is only declaration suit which would decide the title. Since the cases are at the different stage of hearing, in my view, the application filed at the instance of defendants No.2 to 4 is too late in a day. At the best, he could have filed application much earlier so that suits could have proceeded simultaneously or would have asked the indulgence of the Court to be tried by one Court. In my view, in the absence of such prayer, the reasoning given by the trial Court in declining the application is just reasonable and not erroneous.

In view of the aforementioned observations, I do not intend to differ with the findings rendered by the trial Court, much less, the impugned order cannot be said to be passed without jurisdiction.

There is no merit in the revision petition.

Accordingly, the revision petition is dismissed.

**(AMIT RAWAL)**  
**JUDGE**

**December 02, 2015**  
savita