

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA No.4077 of 2011 (O&M)

Date of Decision: 12.05.2015

Dilbagh Singh and others

..... Appellants

Versus

Labh Chand and others

..... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. G.S. Virk, Advocate,
for the appellants.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

Indisputably, the plaintiffs' earlier suit failed on the same cause of action and the orders were confirmed up to this Court. In the subsequent suit from where this appeal arises, they claim substantially the same relief against the vendors defendant Nos.1 & 2 and lay claim on the properties which were not included in the first suit though they could have been. The Courts *a quo* have dismissed the suit both on principles of res judicata and the bar of Order 2 Rule 2 of the Code of Civil Procedure, 1908. The Courts have noticed that the earlier suit between the parties have been decided on merits which makes matters worse for the appellants.

No ground is made out warranting interference in jurisdiction in second appeal side of this Court.

No question of law much less substantial arises in this case

warranting admission or interference in the judgments and decrees of the
Courts below.

Dismissed.

(RAJIV NARAIN RAINA)
JUDGE

12.05.2015
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