

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

TA No. 416 of 2012 (O&M)

Date of decision : 22.4.2015

Harbhajan Singh

....Applicant

versus

Kewal Singh and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Ramesh Chand Sharma, Advocate, for the applicant.

Mr. Harit Sharma, Advocate, for respondent No.1.

Rajesh Bindal, J.

Prayer in the present application is for transfer/clubbing of two suits, one pending at Sultanpur Lodhi and another at Nakodar. Prayer of transfer/clubbing of the suits is made on the ground that one suit has been filed by Kewal Singh against Harbhajan Singh at Sultanpur Lodhi for recovery of ₹ 14,13,600/- on account of lease money for the land allegedly given on lease by Kewal Singh to Harbhajan Singh and another suit has been filed by Kewal Singh at Nakodar against Pritam Singh and his sons, namely, Harbhajan Singh, Ranjit Singh and Gurmail Singh for specific performance of agreement to sell allegedly executed by them on 24.4.2009 with Kewal Singh.

It is not in dispute that the issue involved in both the cases is not common. The only ground on which, the transfer of suit has been sought is that the plaintiff in both the suits is same.

Considering the fact that the relief claimed in both the suits is different, which are based on different causes of action, merely because the plaintiff is same, the suits cannot be transferred/clubbed.

Dismissed.

(Rajesh Bindal)
Judge

22.4.2015

sharmila