

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

CR No.1562 of 2016

Date of decision: 29.02.2016

Jogender Pal @ Jogender Pal Sharma

..... Petitioner.

Versus

Yudhvir Singh and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.Rajiv Godara, Advocate
for the petitioner.

DARSHAN SINGH, J. (Oral)

The present civil revision has been preferred against the order dated 20.01.2016, passed by learned Civil Judge (Sr. Division), Jind, vide which the learned trial Court has consolidated two civil suits i.e. Civil Suit No. 254 of 08.12.2011/21.11.2012, titled as Yudhvir Vs. Jogender and Civil Suit No. 92 of 24.04.2013, titled as Sumitra and others Vs. Jogender etc.

2. Learned counsel for the petitioner contended that both the suits are based on different agreements to sell. The causes of action are also different. So, the suit should not have been consolidated by the learned trial Court. At the most both the suits should have been tried by one Court, but

evidence should have been recorded separately.

3. I have duly considered the aforesaid contentions.

4. In my opinion, no prejudice has been caused to the rights of the petitioner-defendant due to consolidation of the suits. Civil Suit no. 254 of 08.12.2011/21.11.2012, titled as Yudhvir Vs. Jogender has been filed for specific performance of agreement to sell dated 28.04.2007 executed by the petitioner in favour of plaintiff Yudhvir Singh, while the Civil Suit No. 92 of 24.04.2013 has been filed by Smt. Sumitra Devi and others for specific performance of the agreement to sell dated 26.05.2011 that too executed by the petitioner.

5. This fact is not disputed that in both the suits, the suit property is the same. The executant of the agreement is also the petitioner. Thus, it is better step to avoid the conflict findings, if both the suits are consolidated.

6. Thus, I do not find any illegality in the impugned order calling for any interference by this Court while exercising the supervisory powers under Article 227 of the Constitution of India.

7. Resultantly, the present revision petition having, no merits, is hereby dismissed.

29.02.2016

S.khan

(DARSHAN SINGH)
JUDGE