

In the High Court of Punjab and Haryana at Chandigarh

Civil Revision No.4001 of 2016

Date of Decision:3.6.2016

Rashmi Chabra

---Petitioner

versus

Vijay Kumar and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Umesh Kumar Kanwar, Advocate
for the petitioner**

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

Rekha Mittal, J.

The present petition has been directed against the order dated 9.2.2016 passed by the District Judge, Jalandhar, dismissing application of the petitioner for transfer of two civil suits titled “Vandana vs. Mohinder Pal” and “Vijay Kumar vs. Rashmi Chhabra” to one Court for adjudication.

Counsel for the petitioner has submitted that in the suit titled

“Vandana vs. Mohinder Pal”, the petitioner is not impleaded as a party deliberately and she has filed an application under Order 1 Rule 10 of the Code of Civil Procedure, pending decision before the Court concerned. It is further submitted that no prejudice would be caused to either of the parties in case both the suits are decided by the same court.

I have heard counsel for the petitioner, perused the paper book particularly the impugned order.

The District Judge, Jalandhar, in the concluding lines of the impugned order has made the following observations:-

“The record transpires that both the suits are based upon different agreement to sell; parties are also different. As such, no case is made out to transfer these cases to one court.”

It is an admitted position of the case that suit titled “Vijay Kumar vs. Rashmi Chhabra” has been filed for recovery of Rs. 26,57,667/- on the basis of agreement to sell dated 20.1.2011. The other suit titled “Vandana vs. Mohinder Pal” is based upon another agreement to sell dated 20.1.2011 and the same is for recovery of Rs. 4,02,000/-. counsel for the petitioner has not disputed correctness of observations on the basis of factual controversy that both the suits are based on different agreement to

sell and the parties are also different. That being so, I do not find any error much less illegality in the impugned order warranting intervention in exercise of supervisory jurisdiction of this Court.

Dismissed.

(Rekha Mittal)
Judge

3.6.2016

PARAMJIT