

CR No. 516 of 2016(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 516 of 2016(O&M)
Date of Decision : 27.01.2016

Jaswinder Singh

...Petitioner

Versus

Jasbir Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH DHALIWAL

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

Present: Mr. Manish Prabhaker, Advocate for the petitioner.

Mr. Bhagwant Singh Sailka, Advocate
for respondents No. 17, 19, 27, 30, 35, 37, 43 and
49.

Paramjeet Singh Dhaliwal, J.(Oral)

Instant Civil Revision petition has been filed under Article 227 of the Constitution of India for consolidating/clubbing all the appeals filed by the petitioner and respondent Nos. 1 to 3, 15 to 51 to one Court as all the Civil suits filed by them were decided by Shri Shivinder Singh Mann, learned Civil Judge (Senior Division), Amritsar. However, the appeals filed against the orders passed in civil suits have

been sent to different Additional District and Sessions Judges at Amritsar. As a result of it, there may be difference of opinion by the Appellate Courts.

I have perused the file and the documents on record.

Even in the prayer, it has not been specified as to which appeal is to be transferred and sent to only one of the judges i.e. either District Judge, Amritsar or the Additional District Judge posted there. It is not necessary that if the civil suits are decided by one Court, then all the appeals arising therefrom should go to one Appellate Court. However, keeping in view the interest of justice and also the fact that there may not be divergence of opinion, generally exercising the powers under Section 151 CPC the same are sent to one Court as identical questions of law and facts are involved. In the present case all the appeals are independent and the civil suits have also been independently decided. The petitioner is required to file independent petitions in each of the appeal specifically mentioning the civil suit number and number of the appeal arising therefrom so that proper order can be passed in accordance with law.

Under such circumstances, learned counsel for the petitioner prays that he may be allowed to withdraw the present civil revision with liberty to file independent civil

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revision in each case.

Dismissed as withdrawn with liberty as prayed for.

January 27, 2016.
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(PARAMJEET SINGH DHALIWAL)
JUDGE