

CR No.8058 of 2016

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

CR No.8058 of 2016

Date of decision:01.12.2016

Lala Hans Raj Memorial Education Society ... Petitioner

Vs.

Vijay Aggarwal and others ... Respondents

CR No.8059 of 2016

Rajan Aggarwal ... Petitioner

Vs.

Lala Hans Raj Memorial Education Society & others ... Respondents

CR No.8060 of 2016

Rajan Aggarwal ... Petitioner

Vs.

Sumit Goyal & others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. N.K.Joshi, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

This order of mine shall dispose of three revision petitions bearing Nos.8058, 8059 and 8060 of 2016.

The petitioner is aggrieved of the dismissal of the application seeking consolidation/clubbing of following three civil suits:-

- i) Civil suit No.4897 of 2013 titled as “Lala Hans Raj Memorial Education Society (Regd.) vs. Vijay Aggarwal and others”;

- ii) Civil suit No.3269 of 2013 titled as “Sumit Goyal vs. Lala Hans Raj Memorial Education Society (Regd.)”and
- iii) Civil suit No.5541 of 2013 titled as “Lala Hans Raj Memorial Education Society (Regd.) vs. Rajan Aggarwal and others”.

Mr. N.K.Joshi, learned counsel for the petitioner submits that declaration has been sought by the plaintiff - Lala Hans Raj Memorial Education Society (Regd.), in two suits and defendant in one suit, has power and competent to manage, run and Administrator of the institutions situated at Moga, namely, Lala Hans Raj Memorial College of Education Amritsar Bye Pass, Moga and Lala Hans Raj Memorial Convent School, Amritsar Bye Pass, Moga, therefore, the respondents herein have no concern. Though the suits are pending in the same Court but in order to avoid the conflict in decision, the application, aforementioned, was filed but the Court below has erroneously dismissed the same. He further submits that no prejudice would be caused to the respondents, in case, the matters are consolidated as the relief sought by the plaintiff and other by the defendants is identical.

I have heard learned counsel for the petitioner and apprised the paper book and of the view that in one of the suits, i.e., in CR No.8058 of 2016, the defendants are four in number, in CR No.8059, there are more than 10 defendants including the Bank. One of the suit is at the plaintiff's evidence and other two are at initial stage, therefore, the same cannot be consolidated together. The plaintiff should apprise the Court regarding the aforementioned suits so that the same could be decided together by the same

Court.

In view of the aforementioned observations, I do not find any illegality and perversity in the impugned order, much less the same cannot be said to have been passed without jurisdiction.

Accordingly, the revision petitions stand dismissed.

(AMIT RAWAL)
JUDGE

December 01, 2016
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Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No