

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

**CR No.121 of 2017 (O&M)
Date of Decision: 28.09.2017**

Ranjit Singh

... Petitioner.

Versus

Agya Singh and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Satbir Rathore, Advocate,
for the petitioner.

ANIL KSHETARPAL, J. (ORAL).

Although, as per office report, service is not complete, however, with the consent of the learned counsel for the petitioner, I have taken up the case on Board and heard him at length.

The petitioner/defendant has challenged the order passed by the learned trial Court granting permission to the plaintiffs to file the present suit in a representative capacity.

The plaintiffs had filed a suit under Section 92 CPC for setting a scheme for management of Holy Gurudwara Pavittar Asthan and Loh Langar Pavittar Asthan, Fauji Colony, Urmur. Learned trial Court after finding that public interest is involved there and the plaintiffs have filed the suit in a representative capacity, has allowed the application.

Learned counsel for the petitioner has submitted that repeatedly

such suits are being filed. He has further submitted that the order passed by the trial Court is erroneous.

I have considered the submission, however, I do not find any force in the same.

If repeated suits are being filed, remedy for the defendant/petitioner is to make a prayer for consolidation. On this count, permission to sue cannot be refused.

Still further, learned trial Court has not adjudicated upon the rights of the parties. Only permission to file the suit has been granted in a representative capacity. There is no error in the order passed by the learned trial Court.

In view of the discussion made above, there is no merit in the revision petition and the same is dismissed.

(ANIL KSHETARPAL)
JUDGE

28.09.2017
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No