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

**Civil Revision No.290 of 2017
Date of Decision: 04.12.2017**

HARJIT SINGH

.....Petitioner

Vs

SUKHBIR SINGH AND ORS.

....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Akhilesh Vyas, Advocate
for the petitioner.

Mr. V.K. Sandhir, Advocate
for respondent No.1.

Mr. K.L. Kohli, Advocate
for respondents No.4 to 7.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioner has assailed the order dated 24.10.2016 passed by the Civil Judge (Sr. Divn.) Amritsar, whereby application under Section 10 CPC along with Section 151 CPC for staying the proceedings of subsequent suit for specific performance filed by respondent No.1 against the petitioner was dismissed.

[2]. At the time of issuance of notice of motion on 18.01.2017, learned counsel for the petitioner contended that

the petitioner has filed a suit for specific performance on the basis of agreement to sell dated 14.04.2007 and the same was decreed by the trial Court. However, appeal preferred by the respondents was accepted against which Regular Second Appeal is pending.

[3]. Today, learned counsel appearing on behalf of respondent No.1 has brought on record the copy of order dated 13.11.2017 passed in RSA Nos.5204 and 4245 of 2015, vide which the same were dismissed by the co-ordinate Bench of this Court.

[4]. In view of dismissal of the aforesaid Regular Second Appeals, the very basis for seeking stay of subsequent suit has become non-existent. Consequently, this revision petition is dismissed.

December 04, 2017

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No