

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

**Civil Revision No. 3813 of 2015
Date of Decision: 11.1.2017**

Harbhajan Singh and another

.....Petitioners

Vs.

Surinder Singh and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Namit Gautam, Advocate
for the petitioners.

Mr. Rohit Ahuja, Advocate
for respondents No.1 and 2.

RAMESHWAR SINGH MALIK J. (ORAL)

Instant revision petition is directed against order dated 5.3.2015 (Annexure P-8), whereby application under Section 10 of the Code of Civil Procedure moved by the defendants-respondents for staying the present suit for possession and permanent injunction filed by the petitioners-plaintiffs was allowed and the present suit was ordered to be tagged with earlier suit pending between the parties.

Notice of motion was issued.

Heard learned counsel for the parties.

After arguing the case at some length, learned counsel for the petitioners fairly states that petitioners would be satisfied in case the impugned order is modified to the extent that the moment earlier suit, titled as Surinder Singh Vs. Sardool Singh, is decided, natural consequence shall follow and if need be, present suit filed by the petitioners would be allowed to proceed further.

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Learned counsel for the respondents fairly states that he has got no objection to the abovesaid reasonable prayer made by learned counsel for the petitioners.

In view of the abovesaid respective reasonable stands taken by learned counsel for the parties, present revision petition is disposed of, by upholding the impugned order dated 5.3.2015 (Annexure P-8). However, should there be any confusion in this regard, it is clarified that till the decision of earlier suit, titled as Surinder Singh Vs. Sardool Singh, present suit filed by the petitioners shall remain stayed. The moment earlier suit titled as Surinder Singh Vs. Sardool Singh is decided by learned court of competent jurisdiction, present suit would be permitted to proceed further, if necessity arises.

With the abovesaid observations made and directions issued, present revision petition stands disposed of.

(RAMESHWAR SINGH MALIK)
JUDGE

11.1.2017
Ak Sharma

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No