

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

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CR No.7743 of 2017 (O & M)
Date of Decision:09.11.2017

Tarsem Singh

...Petitioner

Versus

Lt. Col. Rajinder Singh deceased through LRs and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anuj Balian, Advocate
for the petitioner.

ANIL KSHETARPAL, J.(Oral)

Plaintiff is in revision petition against the order dismissing the application under Section 10 of the Code of Civil Procedure for stay of proceedings on account of pendency of regular second appeal in this Court.

Learned trial Court has noticed that the trial in the case is complete and the case is now fixed for rebuttal and arguments.

The purpose to move an application under Section 10 is to save the time of the Court when a subsequent suit is filed. Such application is not maintainable at the stage when the trial is already over.

Learned counsel for the petitioner has submitted that there may be contradictory judgments.

In the considered opinion of this Court, such apprehension is totally misplaced because the learned counsel for the plaintiff himself admits that the copies of the earlier judgment had been placed on file.

Taking into consideration the aforesaid facts, this Court does not find any good ground to interfere with the impugned order passed.

Hence, this revision petition is dismissed.

09.11.2017
sheetal

**(ANIL KSHETARPAL)
JUDGE**