

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

**CR No.2264 of 2018
Date of decision:05.04.2018**

Rajpal Sharma

... Petitioner

Vs.

Balwinder Kaur

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Navmohit Singh, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

The present revision petition is directed against the impugned order dated 04.12.2017 (Annexure P-1), whereby, an application under Section 10 CPC for staying the suit for permanent injunction filed by respondent, has been dismissed.

Learned counsel for the petitioner after inquiring from the client has divulged that the application for consolidation of both the suits is pending adjudication.

I have heard the learned counsel for the petitioner, appraised the paper book and of the view that the application under Section 10 CPC was not maintainable, much less premature on the ground that petitioner has already availed the remedy of consolidation. Even otherwise, on merit the trial Court noticed the fact that in both the suits; one bearing no.771 of 2016 instituted on 04.06.2016 and another suit bearing No.862 of 2016 instituted

on 02.07.2016, the suit property is same, though the parties are different.
The issues in both the cases have not been framed.

Resultantly, the revision petition being devoid of merit is
dismissed.

(AMIT RAWAL)
JUDGE

April 05, 2018
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No