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

**Civil Revision No.438 of 2016
Date of Decision: 10.07.2018**

BALDEV KAUR

.....Petitioner

Vs

HARDEEP KAUR ETC.

.....Respondents

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

Present: Mr. H.P.S. Ghuman Advocate
for the petitioner.

Mr. S.S. Salar, Advocate
for respondent No.1.

Mr. Mayank Mathur, Advocate
for respondent No.2.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has preferred this revision petition against the orders dated 10.11.2015, 08.12.2015 and 02.01.2016 passed by Civil Judge (Jr. Divn.).

For disposal of the present revision petition, some admitted facts can be noticed.

Hamir Kaur was the original owner. Hardeep Kaur and Baldev Kaur are the daughters of Hamir Kaur. The only son of Hamir Kaur namely Bant Singh died in the year 1978, leaving

behind Surjit Kaur as widow and one daughter namely Paramjit Kaur. Surjit Kaur was appointed in place of Bant Singh on compassionate grounds. Hamir Kaur executed a registered Will on 10.03.2003 in favour of Hardeep Kaur and Baldev Kaur thereby bequeathing the property in equal shares. In supersession of first Will, Hamir Kaur again executed a Will dated 01.09.2006 thereby giving whole of the property in the name of Hardeep Kaur. Hamir Kaur again executed a Will dated 15.05.2007 thereby restoring the arrangement made in first Will dated 10.03.2003. On the basis of Will dated 01.09.2006, Hardeep Kaur is alleged to have sold the property on the basis of mutation sanctioned in her favour.

I have considered the submissions made by learned counsel for the parties.

As on date, two suits are in progress. One suit has been filed by Baldev Kaur claiming half share of the property on the basis of Will dated 15.05.2007 vide which earlier arrangement of Will dated 10.03.2003 was restored. The will dated 01.09.2006 executed by Hamir Kaur is under challenge in the aforesaid suit.

The second suit has been filed by Surjit Kaur on the basis of inheritance to the extent of 1/3rd share in the suit property.

The parties involved in the aforesaid litigation are different, but both the suits are in respect of land belonging to Hamir Kaur (deceased).

Keeping in view the nature of litigation, it would be in the fitness of things to direct that both the suit be decided by the same Court simultaneously on merits. Ordered accordingly.

Petition stands disposed of accordingly.

July 10, 2018

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No