

**CM-21673-CII-2018 in/and
CR No.6088 of 2018
Date of Decision:23.10.2018**

Chetan SinghPetitioner

Vs.

Natha Singh and othersRespondents

2.

**CM-21738-CII-2018 in/and
CR No.6089 of 2018**

Chetan SinghPetitioner

Vs.

Natha Singh and anotherRespondents

3.

**CM-21666-CII-2018 in/and
CR No.6090 of 2018**

Chetan SinghPetitioner

Vs.

Natha Singh and anotherRespondents

4.

**CM-21711-CII-2018 in/and
CR No.6091 of 2018**

Chetan SinghPetitioner

Vs.

Natha Singh and anotherRespondents

5.

**CM-21755-CII-2018 in/and
CR No.6092 of 2018**

Chetan SinghPetitioner

Vs.

Natha Singh and anotherRespondents

6.

**CM-21662-CII-2018 in/and
CR No.6094 of 2018**

Chetan Singh

.....Petitioner

Vs.

Natha Singh and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.D.S.Matya, Advocate,
for the petitioner (in all the petitions).

AMOL RATTAN SINGH, J. (Oral)

**CM-21673-CII-2018 &
other applications in
connected petitions.**

By these applications advancement of the date of hearing is sought in the accompanying petitions, on the ground that the trial Court is granting very short dates, with the petitioners therefore hard pressed to lead their evidence on the next date of hearing.

No notice having been issued in the accompanying petitions, these applications are allowed and the date of hearing is advanced to today itself.

Though pursuant to the order of this Court dated September 11, 2018, CM-20255-CII-2018 in CR-6088-2018 (and similar applications accompanying each other connected petitions), seeking to place on record interim orders passed by the Civil Judge (Junior Division) ('different trial Court'), Rajpura, in other suits that are stated to be essentially on the same issue, however, today learned counsel submits that since vide the orders

impugned in the present petitions, the applications of the petitioner (plaintiff) seeking to amend his plaint have been dismissed, essentially on the ground that the amendment would amount to partition of the suit land which is shown to be in the ownership of various persons who are not parties to the suit (Karam Singh, Avneet Singh and Ishar Kaur), he may be permitted to withdraw the accompanying petitions themselves, with liberty to file another application under Order VI Rule 17 of the CPC for amendment of the plaint, as also one under Order I Rule 10 of the CPC, for impleadment of the necessary parties.

The petitioner no longer wishing to pursue the accompanying petitions, they are all ordered to be dismissed as withdrawn.

Whereas the petitioner would naturally be always at liberty to move any application that he wishes to in the ongoing suit, any such application would be, naturally, decided wholly on its own merits by the trial Court.

If there is any interim order operating in favour of the petitioner (plaintiff) in the suits in question, any application now moved would be decided within two weeks by that Court.

A copy of this order be sent by the Registry immediately, to the trial Court.

A photocopy of this order be placed on the file of the connected case.

**(AMOL RATTAN SINGH)
JUDGE**

October 23, 2018.

dharamvir/dinesh

Whether speaking/reasoned : YES
Whether Reportable : NO