

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

RSA- 4633-2017 (O&M)

Date of decision: 02.02.2018

Chander Kanta and another

.....Appellants

versus

Hari Krishan

.....Respondent

RSA- 4634-2017 (O&M)

Anil Kumar Puri

.....Appellants

versus

Hari Krishan

.....Respondent

RSA- 4635-2017 (O&M)

Chander Kanta and another

.....Appellants

versus

Bikramjit Lal

.....Respondent

RSA- 4636-2017 (O&M)

Chander Kanta and another

.....Appellants

versus

Hari Krishan

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Vikas Bahal, Senior Advocate with
Ms.Japneet Kaur, Advocate for the appellants
Mr.Varun Dhawan, Advocate for
Mr.K.R.Dhawan, Advocate for the respondent
Mr.Prateek Gupta, Advocate for the respondent no.1
in RSA 4635-2017
Mr.Narinder Singh, Advocate for
Mr.Abhilaksh Grover, Advocate
in RSA 4635-2017

1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?

2. To be referred to the Reporters or not ?

3. Whether the judgment should be reported in the Digest?

Kuldip Singh, J. (Oral)

Heard.

This order will dispose of RSA Nos.4633 of 2017 to 4636 of 2017, arising out of common order.

Learned counsel for the appellants has pointed out that four different suits were decided by the trial Court vide separate judgments. However, in appeal, learned Additional District Judge, Chandigarh vide judgment dated 30.8.2017, took up the five appeals, arising out of the four suits and had decided all the appeals by a single judgment. Learned counsel for the appellants has further pointed out that in all the said four suits, separate issues were framed and the lower appellate Court was required to record findings on all the issues in all the suits. However, in judgment, only the issues of one suit has been reproduced, discussed and decided. Therefore, the issues involved in other three suits have not been discussed and decided. Since, appeals against the judgment passed in all the four suits were decided by one judgment, therefore, findings on issues framed in other three suits are also required to be discussed and decided separately.

The opposite counsel has not controverted the said assertion.

I have gone through the judgment, wherein the issues of only one suit have been reproduced. Since, issues of other suits have not been discussed and decided, while deciding the five appeals against the judgment passed in all the said four suits, therefore, judgment of the lower appellate Court dated 30.8.2017 is set aside and all the appeals are remanded back to the lower appellate Court with a direction to re-hear the parties and discuss the issues framed in all the suits and record findings on the same.

The appeals stands disposed of.

The parties are directed to appear before the lower appellate Court in person or through counsel on 7.3.2018.

A copy of the order be placed on the connected case files.

02.02.2018
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No