

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

**T.A. No. 533-2017 (O&M)
Date of decision : 16.5.2018**

B.C. Sharma	 Petitioner
Versus	
Manohar Kumar and others	 Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ajai Vir Singh, Advocate for the petitioner.

Mr. J.S. Pannu, Advocate for
Mr. J.S. Gill, Advocate for the respondents.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

This is a petition filed under Section 24 read with Section 151 of the Code of Civil Procedure, 1908, seeking transfer and consolidation of the civil suits and cases pending in different courts in the State of Punjab to the Court of Civil Judge (Senior Division), Jalandhar, where the other cases are also pending against the petitioner. The said civil suits are as under: -

1. CS No. 116/2017 titled as Manohar Kumar Versus URMU and others, pending before the learned Civil Judge (Senior Division), Sri Muktsar Sahib.
2. Case No. 506/2017 titled as Lakhmitter Singh Versus URMU and others, pending before the learned Civil Judge (Senior Division), Gurdaspur.
3. Case No. 307/2017 titled as Pankaj Mehta Versus URMU and others, pending before the learned Civil Judge (Senior Division), Ferozepur.

4. CS No. 176/2017 titled as C L Meena versus B.C. Sharma and others, pending before the learned Additional Civil Judge (Senior Division), Jaitu wherein an application under Order 39 Rule 2-A of the Code of Civil Procedure, 1908 is pending though the civil suit already stands transferred vide order of this Hon'ble Court dated 16.3.2017 passed by this Court in TA-83-2017.
5. Case No. 99/2017 titled as Arvind Kumar versus URMU and others, pending before the learned District Judge, Ferozepur whereby appeal under Order 43 of the Code of Civil Procedure, 1908 against the order dated 21.1.2017 passed by the Court of Learned ACJ, Senior Division Guruharsahai is pending are although the civil suit already stands transferred vide order of this Hon'ble Court dated 16.3.2017 passed by this Court in TA-83-2017.
6. CS No. 2055/2016 titled as Sandeep Kumar and another versus B.C. Sharma and others, pending in the Court of learned Additional District Judge Fazilka.

Learned counsel for the petitioner contends that petitioner is the General Secretary of the URMU (Uttariya Railway Mazdoor Union). Vide order dated 16.3.2017 passed by this Court in *TA-83-2017* titled as *B.C. Sharma and others versus Ashok Kumar and others*, nine civil suits pending in different Courts in the State of Punjab have been transferred to Jalandhar Courts.

On the other hand, learned counsel for the respondents oppose the prayer and has stated that in this case, plaintiff(s) are different and there is nothing on file to show that cause of action is same. The plaint of the said cases is not placed on file.

Considering the fact that it is basically a dispute regarding the acts of the union and nine cases are already transferred to Jalandhar Courts, the above mentioned six cases pending in different Courts in the State of Punjab are withdrawn from the said Courts and transferred to the Court of Civil Judge (Senior Division), Jalandhar who shall entrust the aforesaid cases to the concerned Courts where the other cases are already pending between the parties.

In view of above, petition stands allowed.

(KULDIP SINGH)
JUDGE

16.5.2018
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Whether speaking / reasoned	Yes
Whether Reportable:	No