

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.2783 of 2018(O&M)
Date of Decision: 07.03.2019

Smt. Ramratti and anotherPetitioners

Versus

Sarvan Kumar and anotherRespondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Adarsh Jain, Advocate
for the petitioners.

Mr. Rajiv Sharma, Advocate
for the respondents.

RAJ MOHAN SINGH, J.

[1]. This revision petition has been preferred against the order dated 16.01.2018 passed by Civil Judge (Junior Division), Faridabad vide which joint application under Order 1 Rule 10 read with Order 6 Rule 17 CPC filed by the petitioners was dismissed.

[2]. Before embarking upon merits of the case, I am of the view that joint application for the aforesaid reliefs is not maintainable in view of **Nirmal Singh and others Vs. Tarsem Singh and others, 2015(2) RCR (Civil) 679**. Though the trial

Court has not commented upon the aforesaid aspect, but in my considered opinion, the petitioners ought to have filed individual applications for separate relief. Still the petitioners can do so by moving separate application for separate relief and in the event of doing so, the trial Court can be obligated to decide those individual applications in accordance with law without being influenced by any statement of fact appeared on record.

[3]. In view of above, petitioners are relegated to the remedy of filing individual applications before the trial Court. In the event of doing so, trial Court shall decide both the applications strictly in accordance with law.

[4]. Disposed of.

07.03.2019

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No