

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SMRITI
20.11.2019 10:49
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CM-20528-CII-2019 in/and
CR-1796-2019

Date of Decision: 20.11.2019

Harnek Singh

... Petitioner

vs.

Harjiwan Singh and Ors.

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present : Mr. K.S.Chahal, Advocate
for the petitioner.

Mr. N.S.Chahal, Advocate
for respondents No. 1 and 2.

RAJ MOHAN SINGH, J.(ORAL)

CM-20528-CII-2019

In view of order dated 03.10.2019, the main case is
taken up today itself for hearing.

Application is, accordingly, disposed of.

CR-1796-2019

Petitioner has assailed the order dated 02.01.2019
(Annexure P-6) passed by Civil Judge (Jr. Division), Bathinda,
vide which prayer for consolidation of suit titled as **Harnek
Singh vs. Harjiwan Singh and others** and **Harnek Singh vs.
Samarjant Singh and others** was declined.

2. Perusal of the record shows that civil suit titled
Harnek Singh vs. Harjiwan Singh and others was filed on
09.03.2015, challenging the sale deed No.1010 dated

30.06.2014 executed by Baldev Singh being attorney of Harnek Singh with regard to 1/4th share. Second suit tiled **Harnek Singh vs. Samarjant Singh and others** was filed on 06.06.2016, challenging the sale deed No. 1765 dated 03.11.2014.

3. In the second suit, the plaintiff has impleaded Samarjant Singh, Harjiwan Singh, Gurbir Singh, Baldev Singh and Axis Bank as party-defendants. This suit is with regard to 1/8th share.

4. Statement of facts recorded by the trial Court in the impugned order has been questioned by the learned counsel for the petitioner with regard to the land/share involved in the first suit.

5. Both the suits are pending in the same Court. Gurbir Singh was attorney of Harnek Singh and the general power of attorney has already been cancelled. Both the suits are more or less at the same stage.

6. At this stage, instead of consolidating both the suits, it would be just and appropriate to direct the trial Court to proceed with the suits simultaneously so as to avoid any conflicting opinion.

7. Disposed of.

20.11.2019
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No