

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

CR-4915-2019

Date of decision: 20.08.2019

Surinder Singh

...Petitioner

Versus

Satvinder Singh and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Gaurav Rana, Advocate for the petitioner.

H.S. MADAAN, J.

This revision petition is directed against order dated 29.05.2019, vide which, the trial Court of Civil Judge (Jr. Divn.) Ludhiana, had dismissed an application under Section 10 of CPC, filed by Surinder Singh-defendant No.1, for staying the proceedings in that case.

I have gone through the impugned order. The same is quite detailed and well reasoned. It has been clearly observed that the suit in question is for separate possession by way of partition, whereas, the earlier suit which was decided and appeal against which is stated to be pending, was with regard to specific performance, having title ' Joginder Pal Vs. Krishan Lal and others' and pendency of the appeal does not affect the continuity of the suit in question. It has further been clearly observed that ingredients of Section 10 CPC for staying of suit were not fulfilled. The order does not suffer from any illegality or infirmity, much less apparent on the face of it. The order is certainly not perverse or in

violation of settled legal position. There is no reason to upset the order by exercising revisional jurisdiction. Finding no merit in the revision petition, the same stands dismissed.

20.08.2019

sumit.k

(H.S. MADAAN)
JUDGE

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