

108 IN THE HIGH COURT OF PUNJAB AND HARYANA
(5 cases) AT CHANDIGARH

(1) CR No.6558 of 2019 (O&M)
Date of Decision: 18.10.2019

M/s Ansal Housing and Ltd. Petitioner
Versus
State of Haryana and others Respondents

(2) CR No.6559 of 2019 (O&M)

M/s Delhi Towers Ltd. Petitioner
Versus
State of Haryana and others Respondents

(3) CR No.6574 of 2019 (O&M)

M/s Delhi Towers Ltd. Petitioner
Versus
State of Haryana and others Respondents

(4) CR No.6575 of 2019 (O&M)

M/s Delhi Towers Ltd. Petitioner
Versus
State of Haryana and others Respondents

(5) CR No.6576 of 2019 (O&M)

M/s Delhi Towers Ltd. Petitioner
Versus
State of Haryana and others Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Ashish Verma, Advocate
for the petitioner.

NIRMALJIT KAUR, J. (ORAL)

All the aforementioned revision petitions shall stand decided by
this common order.

The present revision petition(s) is filed for setting aside the order dated 06.09.2019, passed by the Civil Judge (Junior Division), Sohna (for short, the trial Court), vide which, oral evidence of the petitioner was closed by order.

It is stated that a total of six suits were filed by the petitioner and its sister companies seeking relief of declaration against the respondents. The defendants are same in all the suits. The petitioner/plaintiff had filed a transfer application before the District Judge, Gurugram with the prayer that all the matters be tried and decided by one and same Court. Meanwhile, out of six suits, three suits were pending before one Court, two suits were pending before another Court and one suit was pending in a third Court. Due to leave arrangement, five suits were got listed together before one Court and one suit was separated and listed before another Court.

Learned counsel for the petitioner, therefore, requested the trial Court to adjourn the matters in view of the pending transfer application. However, the request was turned down and the Court by way of impugned order dated 06.09.2019 closed the oral evidence of the petitioner and fixed the matters by giving one last opportunity for cross-examination of PW-1. Meanwhile, the transfer application was allowed and all the matters are pending before one Court. As a consequence, the oral evidence is continuing in one case, whereas, the same oral evidence has been closed by order in the above five cases.

In these circumstances, this Court does not find any necessity to issue notice. Accordingly, the present revision petition(s) is allowed and

CR No.6558 of 2019 (O&M) and other connected cases

order dated 06.09.2019 passed by the trial Court closing the evidence is set aside with liberty to the petitioner to now lead their evidence, in accordance with law.

18.10.2019
sandeep

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No