

S.No.118

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

CR No.1075 of 2020

Date of Decision:14.02.2020

Hardeepinder Singh

.....Petitioner

Vs.

Baleshwar Singh and othersRespondents

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Khushdeep Mann, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed challenging the order dated 09.12.2019 passed by the District Judge, Rupnagar, whereby the application filed by the petitioner for ordering clubbing two suits; out of which in one suit the petitioner is defendant; and in the other he is the plaintiff, has been dismissed.

Learned counsel for the petitioner has submitted that the suit property in both the suits is the same. The parties are also the same. Therefore, it would have been appropriate, had both the suits been proceeded with together. Therefore, the application filed by the petitioner has been wrongly rejected by the District Sessions Judge.

Having heard the counsel for the petitioner and perused the case file, this Court does not find any substance in the argument of counsel for the petitioner. A perusal of the order passed by the District Judge shows that the earlier suit is of the year 2017. In that suit, the petitioner is a defendant and in that suit; the defendant has not completed his evidence despite availing seven opportunities, whereas; the other suit is filed by the petitioner only on 27.08.2019; in which the other side is yet to appear after notice. Both the suits are altogether at different stages of the proceedings.

Therefore, there is no reason or justification to club both the suits at all.
The District Judge has rightly declined the application filed by the petitioner.

In view of the above, finding no merit in the present petition,
the same is dismissed.

February 14, 2020
renu

(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No