

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

**Civil Revision No.2202 of 2020 (O&M)**

**DATE OF DECISION: 03.09.2020**

Surinder Singh Bedi

.....Petitioner

versus

Sanjeev Kumar and others

.....Respondents

**CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN**

Present: Mr. Sanjeev Kumar Arora, Advocate for the petitioner

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**ALKA SARIN, J.:** (Oral)

Heard through video conferencing.

The present civil revision has been filed under Article 227 of the Constitution of India for setting aside the order dated 24.07.2020 (Annexure P-1) passed by Civil Judge (Junior Division), Ferozepur in Civil Suit No.452 of 17.04.2018 titled as “*Surinder Singh Bedi vs. Tajinder Singh & others*”.

The brief facts relevant to the present case are that in April 2018 the plaintiff-petitioner filed a suit for specific performance qua agreement to sell dated 15.12.2017 executed by defendant-respondent Nos.2 and 3 qua two properties – a house owned by the defendant-respondent No.2 and a shop owned by the defendant-respondent Nos.2 and 3. Defendant-respondent No.1 is the subsequent purchaser of the shop owned by the defendant-respondent Nos.2 and 3.

In August 2018, one Gurpreet Singh @ Monty and Pardeep Bajaj also filed a suit for specific performance qua agreement to sell dated 4.12.2017 executed by the present defendant-respondent Nos.2 and

3 qua a shop owned by the defendant-respondent Nos.2 and 3. The present defendant-respondent No.1 is the subsequent purchaser of the shop owned by the defendant-respondent Nos.2 and 3 and subject matter of this second suit.

On 19.08.2019 the present defendant-respondent No.1 filed an application to consolidate the two suits titled: (1) “*Surinder Singh Bedi vs. Tajinder Singh and others*” and (2) “*Gurpreet Singh @ Monty and another vs. Sukhwinder Singh and others*” stating therein that subject matter of both these suits is similar in nature and parties to the suits are also similar. The application was dismissed by the Trial Court vide order dated 17.09.2019. The said order was challenged by defendant-respondent No.1 before this Court by filing Civil Revision No.6849 of 2019. The said revision petition was disposed of by this Court vide order dated 17.03.2020 by requesting the Trial Court to pass fresh order after considering the alternative prayer made in the application, the alternative prayer being that both the suits be decided simultaneously. The petitioner herein filed an application [CM. No.7392-CII of 2020] for recalling the order dated 17.03.2020 passed in CR. No.6849 of 2019. However, this application was dismissed as withdrawn on 20.07.2020. Vide order dated 24.07.2020 the Trial Court allowed the alternative prayer made in the application of the defendant-respondent No.1 to the effect that both the suits should be decided on the same day. Thus, the present revision petition has been filed challenging the order dated 24.07.2020.

I have heard the learned counsel for the plaintiff-petitioner.

It has been contended by the learned counsel for the plaintiff-petitioner that both the suits cannot be heard on the same day as separate evidence has to be led in both the cases. Learned counsel for the

plaintiff-petitioner has further contended that both the suits are qua different agreements to sell and the parties in whose favour the agreements to sell have been executed are also different and for that reason the cases should be heard and decided separately.

A perusal of the impugned order dated 24.07.2020 reveals that the prayer for consolidation of the suits has rightly been rejected by the Court below, inasmuch as, separate evidence has to be led in both the suits. However, keeping in view the fact that the vendors and the subsequent purchaser of the properties involved in both the civil suits are the same, the alternative prayer made in the application that both the suits be decided on the same day has correctly been allowed. It is in the interest of all the parties if both the suits are decided on the same day. The counsel for the plaintiff-petitioner has been unable to point out any error in the exercise of jurisdiction by the Trial Court while passing the impugned order. Further, he has also not been able to point out any prejudice which the plaintiff-petitioner may suffer if both the suits are decided on the same day.

In view of the above, I do not find any merit in the present revision petition which is dismissed.

**(ALKA SARIN)  
JUDGE**

03.09.2020  
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**NOTE:**

**Whether speaking/non-speaking: Speaking  
Whether reportable: YES/NO**