

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

Sr.No.103

CR No.725 of 2021

Date of Decision: 23.03.2021

Raj Kumar Jain

...Petitioner

Versus

Shree Ram Ji Dass Educational &
Charitable Trust (Regd.)

...Respondent

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Rajan Bansal, Advocate,
for the petitioner.

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MEENAKSHI I. MEHTA, J.

Feeling aggrieved by order dated 23.02.2021 (Annexure P-5) handed down by learned District Judge, Bathinda whereby the application moved by the present revisionist-petitioner for seeking the entrustment of all the three eviction petitions, including the one as preferred by the respondent-Trust against him, to the same Court, has been dismissed, he has chosen to prefer this revision petition.

2. I have heard learned counsel for the revisionist-petitioner in the present petition at the preliminary stage and have perused the file thoroughly.

3. Learned counsel for the revisionist-petitioner contends that all the three eviction petitions have been filed by the respondent-Trust against the revisionist-petitioner and two more tenants for seeking their

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eviction from the same building and therefore, it is necessary that these petitions are decided by the same Court. He places reliance upon the judgments rendered by this Court in ***Satish Kumar vs. Registrar Karnal and others, 2014(11) R.C.R. (Civil) 2111*** and ***Punjab Medical Representative Association (PMRA), Bhatinda and others vs. M/s Cipla Limited, 2006 (13) R.C.R. (Civil) 338***, in support of his contention.

4. However, the above-discussed contention does not hold any water because admittedly, the three tenants, including the revisionist-petitioner, whose ejectment has been sought by the respondent-Trust by filing the said eviction petitions, are occupying different parts of the building of the respondent-Trust in their independent/individual capacity, meaning thereby that the parties as well as the subject-matter in all the three eviction petitions are not exactly the same. In these circumstances, the decision of all the three petitions by one Court would not be necessary.

5. The observations as made by the Single Benches of this Court in ***Satish Kumar's case (supra)*** and ***Punjab Medical Representative Association's case (supra)*** are of no help to the revisionist-petitioner to further his cause in this petition because in ***Satish Kumar's case (supra)***, the suit property in all the Civil Suits was common whereas, as discussed in the preceding paragraphs, all the three tenants are occupying the three different portions of the building of the respondent-Trust in their independent/individual capacity. In ***Punjab***

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Medical Representative Association's case (supra) also, the issue raised in all the four Suits was common and was sought by the same plaintiff almost in similar circumstances and against the separate branches of the same defendant whereas undisputedly, all the three eviction petitions have been filed by the respondent-Trust against three different tenants.

6. As a sequel to the fore-going discussion, it follows that the impugned order Annexure P-5 does not suffer from illegality, infirmity, irregularity or perversity and hence, it does not warrant any interference by this Court. Resultantly, the present revision petition is hereby dismissed.

(MEENAKSHI I. MEHTA)
JUDGE

23.03.2021
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No