

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

CR-861-2021 (O&M)
Date of Decision: 07.04.2021

Varinder Khanna

...Petitioner

Versus

Sudhar Sabha Prachin Mandir Bhooth Nath Ji and ors.Respondents

CORAM: HON'BLE MR JUSTICE ARUN MONGA

Present: - Mr. Sanjiv Gupta, Advocate,
for the petitioner.

(Presence has been marked through video conferencing)

ARUN MONGA, J. (ORAL)

Petitioner herein is directed against an order dated 24.3.2021 (Annexure P-7) passed by the learned trial Court, whereby application filed by the petitioner under Section 10 of the CPC was rejected.

2. The petitioner contention per his application is that the nature of controversy and the dispute involved in the earlier suit bearing CS-381-2021 and the later suit bearing CS-426-2021 is same and, therefore, the later suit ought to have been stayed awaited the outcome of the suit filed prior in time.

3. Having gone through both the plaints appended along with the petition herein, contained as Annexures P-1 & P-3, I am of the view that it would be rather appropriate and expedient if both the suits are tried together. Same would also be in the interest of parties to both the suits. Parties are same and the likely evidence to be adduced by them is likely to be overlapping and/or more or less similar.

4. It, however, made clear that trying of both the suits shall not, in any manner, be construed to mean as if the same have been consolidated. Trial court to proceed accordingly.

5. Disposed of in above terms.

(ARUN MONGA)
JUDGE

07.04.2021

Vivek

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No