

**218 (1) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

1.CR-5633-2016 (O&M)

Bhim Sain and others

....Petitioners

Versus

Municipal Council, Fatehabad, Tehil and District Fatehabad

..Respondent

2.CR-1978-2017 (O&M)

Krishan Kumar

....Petitioner

Versus

Municipal Council, Fatehabad, through its Executive Officer/Secretary

..Respondent

Date of decision: 03.03.2022

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rakesh Gupta, Advocate for the petitioner
in CR-5633-2016

Mr. Amit Choudhary, Advocate for the petitioner
in CR-1978-2017

Mr. Mukul Aggarwal, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

By this order, two civil revision petitions i.e CR-5633-2016
and CR-1978-2017 shall stand disposed of.

While issuing notice of motion on 01.09.2016 (in CR-5633-
2016), the following order was passed by this Court:-

Learned counsel for the petitioners
contends that against the action of the Municipal
Council, Fatehabad, number of suits were filed by
different occupants which were consolidated. After
consolidation of suits, a common judgment was

passed decreeing the suit and Municipal Council, Fatehabad was restrained from taking possession of the plot on the basis of Resolution No.2 dated 26.12.2003. Opportunity was given to the defendant-Committee to proceed against the plaintiff after giving due opportunity of hearing to them. Municipal Council remained unsuccessful in first appeal as well as in RSA No.4330 of 2012. Thereafter, in alleged compliance of the requirement under decree, Municipal Council again passed the order against which number of suits were filed by different persons/occupants. This time the suits have not been consolidated on the plea that cause of action involved in all the suits was not same.

Notice of motion for 16.09.2016.

Dasti as well.

Till the next date of hearing, trial Court is directed to adjourn the suit proceedings beyond the date fixed by this Court.”

After having argued the revision petitions at some length learned counsel representing the parties have come to a consensus and have agreed to the transfer all of the connected suits to the Court of Additional Civil Judge, (Senior Division), Fatehabad. They also agree that all the suits be decided by the concerned court, simultaneously.

Ordered accordingly.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

03.03.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE