

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

**113**

**C.R. No. 2924 of 2021**

**Date of Decision:- 07.03.2022**

DARSHAN SINGH AND ANOTHER

....Petitioners

vs.

THE SECRETARY REVENUE DEPARTMENT PUNJAB & ORS    ....Respondents

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**BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL**

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Present:- Mr. Shamsheer Singh Gill, Advocate,  
for the petitioners.

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**Sudhir Mittal, J. (Oral)**

Two suits are pending in the Civil Court at Payal, District Ludhiana. The first suit has been filed by Darshan Singh and Guru Granth Sahib Gurdwara seeking a declaration that they are owners in possession of various parcels of land mentioned in the plaint. One of the parcels mentioned therein measures 2 kanal 6 marlas and is comprised in Khasra No.24//3/1/1(2-6). The second suit has been filed by Tehal Singh who is one of the defendants in the first suit. He is seeking grant of permanent injunction against one Darshan Singh and one Balbir Singh in respect of land measuring 2 kanal 6 marlas comprised in Khasra No.24//3/1/1.

Darshan Singh filed an application for consolidation of the two suits or at least for transfer to the same Court. The application has been rejected on the ground that the relief sought is separate and separate evidence would be required in both.

The reasoning is correct. In the declaratory suit, evidence would be required regarding the title of the plaintiffs in the various parcels mentioned in the plaint whereas in the injunction suit, the plaintiff has to establish his possession only in respect of a small parcel. Merely because the said parcel is also a part of the land

in the declaratory suit would not mean that the evidence required to be led would be identical. Moreover, the parties are also not the same as in the declaratory suit there are a large number of defendants apart from Tehal Singh who is the plaintiff in the suit for injunction.

Learned counsel for the petitioners has reiterated the submissions made before the District Judge. I do not find any merit in the submissions as the reasoning given by the District Judge is proper.

For the aforesaid reasons, the revision petition has no merit and is dismissed.

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| <b>March 07, 2022</b>            | <b>( SUDHIR MITTAL )</b> |
| <b>poonam</b>                    | <b>JUDGE</b>             |
| <b>Whether Speaking/Reasoned</b> | <b>Yes</b>               |
| <b>Whether Reportable</b>        | <b>No</b>                |