

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 7531 of 2019

Date of Decision: 23.11.2022

Paramjit Singh

... Petitioner(s)

Versus

M/s Dynamic Continental Pvt. Ltd. And Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. S.K.Sandhir, Advocate
for the petitioner(s).

Mr. Aayush Gupta, Advocate
for the respondent No.1.

Mr. Namit Gautam, Advocate
for the respondent No.2.

Anil Kshetarpal, J.

1. Heard the learned counsel representing the parties.
2. The petitioner herein is the plaintiff in a suit filed in the year 2011 for the grant of decree of declaration that the agreement to sell dated 14.07.2007 is null and void and does not affect the rights of the plaintiff. There is a suit filed by the defendant No.1 for grant of decree of specific performance of the agreement to sell dated 09.04.2007. After availing more than 25 opportunities spanning over a period of four years, the plaintiff has failed to lead evidence. At that stage, the plaintiff filed an application to consolidate both the suits which were pending in the same Court. The trial Court has dismissed the same.

While filing the revision petition, the petitioner has impugned

the order dated 05.07.2019 whereby his evidence was ordered to be closed. He did not annex the order which is sought to be challenged in the present revision petition.

4. The learned counsel representing the respondents have brought to the notice of the Court that the petitioner's application was disposed of on 13.08.2019 while observing that both the suits shall be decided simultaneously in order to ensure coherent and consistent judicial pronouncements in both the orders. Para 14 of the order reads as under:-

“14. Therefore, this Court is of the opinion that the present prayer for consolidation cannot be permitted. However, in order to ensure that no conflicting decision are pronounced in the matter, both the proceedings shall be taken up together and the trial shall be conducted simultaneously in order to ensure coherent and consistent judicial pronouncement in both the matters.”

5. Keeping in view the aforesaid facts, no further order is required to be passed. Hence, the present revision petition is disposed of.

(Anil Kshetarpal)
Judge

November 23, 2022

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No