

In the High Court of Punjab and Haryana, at Chandigarh

1. Civil Revision No. 4998 of 2018

Gurmeet Singh Bhandari (Since Deceased) through his Legal
Representatives and Another

... Petitioner(s)

Versus

Kamlesh Rani Thakur and Others

... Respondent(s)

AND

2. Civil Revision No. 4117 of 2018

Gurbachan Singh Uppal

... Petitioner(s)

Versus

Gurmeet Singh Bhandari (Since Deceased) through his Legal
Representatives and Others

... Respondent(s)

DATE OF DECISION: 26.07.2023

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Bhritgu Dutt Sharma, Advocate
for the petitioner(s) (In CR-4998-2018).

Mr. Gurcharan Dass, Advocate
for the petitioner (In CR-4117-2018).

Mr. Rajesh Khurana and Mr. Ajay Sharma, Advocates
for the respondent No.1 to 4 (In CR-4998-2018) and
for the respondent No. 3 to 6 (In CR-4117-2018).

Mr. Sanjiv Gupta, Advocate
for the respondent No.7 (In CR-4998-2018) and
for the respondent No.8 (In CR-4117-2018).

Anil Kshetarpal, J.

1. These two connected revision petitions, challenging the
correctness of a common interlocutory order passed by the trial Court while

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deciding the various applications, are pending in this Court for quite some time. The dispute is with regard to the succession to the property left behind by Smt.Charanjit Kaur and/or Kuldeep Singh Bhandari (the wife and the husband).

2. Gurmeet Singh Bhandari and Paramjit Singh Bhandari (the petitioners in Civil Revision No. 4998 of 2018) claimed the property being the nephews of Kuldeep Singh Bhandari. They are challenging the correctness of the will executed by Kuldeep Singh Bhandari in favour of Smt. Kamlesh Rani Thakur.

3. The petitioner (Gurbachan Singh Uppal), in Civil Revision No. 4117 of 2018), is the brother of Smt.Charanjit Kaur. He has also filed a separate civil suit challenging the correctness of the Will executed in favour of Smt. Kamlesh Rani Thakur. Smt. Kamlesh Rani Thakur is stated to have filed an application for the grant of a letter of administration under the Indian Succession Act, 1925 (hereinafter referred to as “the 1925 Act”). All the three litigations (two civil suit and a petition under the Indian Succession Act) are stated to be pending in the same Court.

4. By an interlocutory order, an application filed by the petitioner-Gurbachan Singh Uppal for his impleadment in the suit filed by Gurmeet Singh Bhandari and another has been dismissed by the trial Court.

5. On the other hand, an application filed by Gurmeet Singh Bhandari and another for consolidating the proceedings in all the three litigations has also been dismissed by the trial Court.

6. During the course of arguments, the learned counsel representing the parties have come to a consensus. It is agreed that all the

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three proceedings be consolidated.

7. The learned counsel representing the parties have stated that Gurmeet Singh Bhandari and another filed a suit first in point of time. It is further agreed by the learned counsel representing the parties that the civil suit filed by Gurmeet Singh Bhandari and another shall be treated as a lead case and the parties will lead the entire evidence on the file in the aforesaid case. Gurbachan Singh Uppal (since deceased) through his legal representatives shall also be permitted to lead the evidence in the case filed by Gurmeet Singh Bhandari and another.

8. Keeping in view the consensus arrived at, both the revision petitions are disposed of by directing the trial Court to consolidate all the three proceedings and allow the parties to lead evidence in the civil suit filed by Gurmeet Singh Bhandari and another. The trial Court shall also frame the consolidated issues in accordance with the Order XIV Rule 1 CPC.

9. Since the litigation is stated to be pending in the trial Court for the last eight years, therefore, the trial Court is directed to expedite the disposal of the cases.

**(Anil Kshetarpal)
Judge**

July 26, 2023

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No