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

1. **RSA-382-2022 (O&M)**
Reserved on : 25.01.2023
Date of decision : 03.02.2023

State of HaryanaAppellant

Versus

Mahender Kumar Jaipuria and Ors.Respondents

2. **RSA-356-2022 (O&M)**

State of HaryanaAppellant

Versus

Mahender Kumar Jaipuria and Ors.Respondents

3. **RSA-360-2022 (O&M)**

State of HaryanaAppellant

Versus

Mahender Kumar Jaipuria and Ors.Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Pritam Singh Saini, Sr. Addl. AG Haryana and
Mr. Saurabh Girdhar, AAG Haryana
for the appellant (in all the cases).

Mr. Sourabh Goel, Advocate
for respondent No.1 (in all the cases).

ALKA SARIN, J.

The present order shall dispose off three appeals being **RSA No.382 of 2022, RSA No.356 of 2022 and RSA No.360 of 2022** as common issues are involved. The facts are being noticed from RSA No.382 of 2022.

The present suit was filed by the plaintiff-appellant seeking a declaration for setting aside the judgment and decree dated 12.11.2005 passed in Civil Suit No.74 of 2003 titled as 'Mahender Kumar Jaipuria and others Vs. Gram Panchayat Loharu and others' on the ground of fraud, collusion and misrepresentation and further for restraining the defendants-respondents from interfering in the peaceful possession of the plaintiff-appellant in the property bearing Khasra No.735 measuring 23 kanals 14 marlas as described in the plaint. The Trial Court dismissed the said suit vide its judgement and decree dated 10.08.2017. The appeal of the plaintiff-appellant was dismissed by the First Appellate Court vide judgement and decree dated 19.04.2018. Hence, the present regular second appeal.

Learned counsel for the defendant-respondent No.1 has pointed out that four similar suits were filed by the same plaintiff-appellant pertaining to four different properties wherein identical pleas were raised by the plaintiff-appellant. All the four suits were dismissed by the Trial Court vide separate judgements and decrees dated 10.08.2017. The four appeals preferred by the plaintiff-appellant were dismissed by the First Appellate Court vide separate judgements and decrees dated 19.04.2018. Against the decision in one of the suits by both the Courts, RSA No.373 of 2022 [State of Haryana vs. Mahender Kumar Jaipuria and others] already stands dismissed by this Court vide judgment dated 14.02.2022.

It is not disputed by learned counsel for the parties that the issues involved in the present three appeals are identical to the issues involved in RSA No.373 of 2022. The issues raised in the present three appeals have already been dealt with in detail in the judgment dated 14.02.2022 passed in RSA No.373 of 2022 and the appeal of the plaintiff-

appellant was dismissed. The present three appeals involving the same questions of law are liable to be dismissed on the same grounds.

In view of the above, the present three appeals are dismissed. As in RSA. No.373 of 2022, the applications for condonation of delay in the three appeals are also dismissed. Any other pending applications, if any, also stand disposed off.

03.02.2023

Yogesh Sharma

**(ALKA SARIN)
JUDGE**

NOTE : Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO