

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

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2023:PHHC:139131

CR-2924-2023

Date of decision: 31.10.2023

GULZAR KAUR

..Petitioner

Versus

AVTAR SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vijay Lath, Advocate
for the petitioner.

Mr. Sahil Parmar, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

1. This revision petition has been filed by the plaintiff to challenge the correctness of the order passed by the trial Court under Section 10 of the Code of Civil Procedure, 1908 (hereinafter referred to as the 'CPC') while staying the proceedings in a subsequent suit filed for grant of decree of possession by way of specific performance of the agreement to sell. The proceedings have been stayed on the ground that a previous suit for possession under Section 6 of the Specific Relief Act, 1963, filed by the plaintiff is also pending.

2. After arguing at some length, the learned counsel representing the parties have come to a consensus. They jointly pray that the learned Civil Judge (Senior Division) should be directed to club both the suits and assign them to the same Court for decision.

3. Keeping in view the aforesaid facts, the interlocutory order passed by the trial Court under Section 10 of the CPC is set aside.

4. The learned Civil Judge (Senior Division) is requested either to decide both the suits himself or assign them to the Court of competent jurisdiction and the suits shall be tried and decided together.
5. Disposed of accordingly.
6. All the pending miscellaneous applications, if any, are also disposed of.

October 31st, 2023
Ay

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No