

2023:PHHC:156154
**133 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

RSA-2265-2022 (O&M)
Date of decision: 06.12.2023

Anil Kumar Garg

....Appellant

Versus

M/s Morgan Signature Towers Pvt. Ltd

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.K.S.Brar, Advocate for the appellant

Mr. Simran Mehta and
Mr. Sandeep Jain, Advocates for the respondent

ANIL KSHETARPAL, J (Oral)

1. Two cross suits were filed before the trial court. The appellant (the plaintiff before the trial court) filed the civil suit alongwith Smt. Meenu Pahuja and some other persons. The property in dispute is the same. The respondent (M/s Morgan Signature Towers Pvt. Ltd.) filed a cross suit for possession with a consequential relief of permanent injunction. The civil suit filed by the plaintiff alongwith Smt. Meenu Pahuja was partly decreed, however, the First Appellate Court dismissed the suit in its entirety. The Regular Second Appeal filed by Smt. Meenu Pahuja and Sh.Anil Kumar Garg (appellant herein) and some others i.e RSA-2030-2022 has already been dismissed by this Court on 31.08.2023. Learned counsel representing the appellant admits that the dispute in both the suits is common. Even the property is also identical. He

submits that in view of the judgment passed in RSA-2030-2022 decided on 31.08.2023, the present appeal is also liable to the dismissed.

2. Ordered accordingly.

3. All the pending miscellaneous applications, if any, are also disposed of.

06.12.2023

rekha

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No