

2023:PHHC:141321
**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

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**CR No.6247 of 2023(O&M)
Date of Decision: 06.11.2023**

Harjit Singh Chadha @ Harjeet Singh ChadhaPetitioner.

Versus

Smt. Harbans Kaur and othersRespondents.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Prateek Sodhi, Advocate for petitioners.

Lalit Batra, J.(Oral)

This Civil Revision Petition under Article 227 of the Constitution of India has been filed by the petitioner impugning the legality of order dated 03.10.2023 passed by the learned District Judge, Amritsar, in terms of which, application under Section 24 CPC preferred by the petitioner seeking transfer of Civil Suits No.3222 and 3299 of 2022 pending in the Court of Sh. Gagandeep Singh, Civil Judge (Junior Division), Amritsar and Civil Suit No.2843 of 2022 pending in the Court of Sh. Jaibir Singh, Civil Judge (Junior Division), Amritsar, in one Court, has been dismissed.

At this juncture, Mr. Anandeshwar Gautam, Advocate has put in appearance on behalf of respondent No.3 and filed memo of appearance, which is taken on record. He submits that he has no objection in case the petition is allowed and Civil Suit No.2843 of 2022 pending in the Court of Sh. Jaibir Singh, Civil Judge (Junior Division), Amritsar, is ordered to be transferred to the Court of Sh. Gagandeep Singh, Civil Judge (Junior Division), Amritsar, where two other civil suits between the parties are

I have heard counsel for the parties and carefully perused the record.

Civil Suit titled 'Harjit Singh Chadha Vs. Smt. Harbans Kaur Chadha' (Annexure P-1) is pending in the Court of Sh. Jaibir Singh, Civil Judge (Junior Division), Amritsar, whereas civil suits titled 'Harjit Singh Chadha Vs. Smt. Harbans Kaur and others' (Annexure P-2) and 'Smt. Harbans Kaur Chadha and another Vs. Harjit Singh Chadha and others' (Annexure P-3), are pending in the Court of Sh. Gagandeep Singh, Civil Judge (Junior Division), Amritsar. Parties in all these civil suits are the same and the property in dispute is also the same. Thus, in order to avoid conflicting judgments qua similar property, all these three civil suits are to be tried and decided by one Court.

In view of above, order dated 03.10.2023 passed by learned District Judge, Amritsar, is set aside. Civil suit titled 'Harjit Singh Chadha Vs. Smt. Harbans Kaur Chadha' (Annexure P-1) is ordered to be taken out from the Court of Sh. Jaibir Singh, Civil Judge (Junior Division), Amritsar, and same is transferred to the Court of Sh. Gagandeep Singh, Civil Judge (Junior Division), Amritsar, where two other civil suits (Annexure P-2 and P-3) are pending.

The petition stands disposed of accordingly.

(LALIT BATRA)
JUDGE

06.11.2023

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