

Durga Mandir Committee, Dharampur

...Petitioner

Versus

Manoj Kumar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Sunil Agnihotri, Advocate
for the petitioner.

GURBIR SINGH, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India seeking quashing of the impugned order dated 19.03.2024 (Annexure P-9) passed by the Ld. Civil Judge (Jr. Division), Mukerian, whereby an application (Annexure P-7) 21.01.2024 filed by the petitioner-defendant for consolidation of two suits pending with regard to the same issue and same relief claimed in the same Court, has been dismissed.
2. Learned counsel for the petitioner submits that an application for consolidation of both the suits has been filed on the ground that another suit titled as “Vijay Singh Vs. Durga Mandir Committee, Dharampur” in which the Mandir Committee is arrayed as defendant and the relief claimed in the suit, is the same sought in the present suit. He further submits that both the suits are pending adjudication in the same Court.
3. I have heard the learned counsel for the petitioner and perused the file.
4. If notice is given to the other side it may further delay the disposal of case and may further put financial burden upon respondents. So notice to respondents is hereby dispensed with.

5. Since both the suits have been filed against the Durga Mandir Committee and keeping in view the fact that evidence to be led in both the cases is different. In the present suit, Manoj Kumar is claiming his right through his father Joginder Singh son of late Babu Ram and in the another suit Vijay Singh is also claiming his right through his father late Babu Ram.
6. So, without commenting upon the merits of the case and in order to avoid conflicting judgments it is necessary that both the cases be decided by the same Court on the same date in accordance with law.
7. Petition stands disposed of.

30.04.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

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