



CR-6398-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-6398-2024

Date of decision : 05.11.2024

Savita

... Petitioner

Versus

Bharat Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Aayush Gupta, Advocate for
Mr.Vikram Singh, Advocate
for the petitioner.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the order dated 18.10.2024 (Annexure P-5) passed by the District Judge, Panipat, vide which the application of the petitioner for consolidation and transferring of two cases in one Court has been dismissed.
2. Learned counsel for the petitioner has submitted that in the suit (Annexure P-2) the plaintiff is seeking declaration with respect to the same suit land which is the subject matter of the suit (Annexure P-1) and as per the pleading in the said suit (Annexure P-2), the petitioner is entitled to 7 marlas out of land measuring 2 kanals 18 marlas comprised in Rectangle no.58 Killa no.11/1(2-18) situated at village Samalkha, Tehsil Samalkha, District Panipat and has further submitted that till the said suit (Annexure P-



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2) is not adjudicated, the suit for partition (Annexure P-1) should not be decided as the question of entitlement of the petitioner, who is also plaintiff no.3 in the partition suit (Annexure P-1), is yet pending adjudication. It is submitted that in the said circumstance, the petitioner be permitted to withdraw the present petition with liberty to move an appropriate application in the suit for partition (Annexure P-1).

3. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

4. It is made clear that this Court has not opined on the maintainability or otherwise or on the merits of the application which is to be filed and that application, if any filed, should be considered independently, in accordance with law.

(VIKAS BAHL)
JUDGE

November 05, 2024
Davinder Kumar

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