



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-387 of 2025 (O&M)
Date of Order:20.02.2025

Parvesh Chander Sharma and others

.Petitioners

Versus

Ludhiana Weight Lifting and Body Building Club (Regd.)
and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Aayush Gupta, Advocate
for the petitioners.

Mr. Aditya Dassaur, Advocate
for respondent no.1.

ANIL KSHETARPAL, JUDGE (Oral)

1. The defendants in two pending suits assail the correctness of interlocutory order refusing to consolidate the suit, passed by the trial court on 10.10.2024. The court has held that some of the parties to the suits are different and the relief is different.

2. This Bench has heard the learned counsel representing the parties at length and with their able assistance perused the paper book.

3. The first suit was filed by Ludhiana Weight Lifting Club on 29.01.2018, while making the following prayers:-

“It is, therefore, prayed that in the interest of justice, equity and good conscience, a decree for rendition of accounts in respect of the plaintiff-society/club namely



Ludhiana Weight Lifting and Body Building Club (Regd.), Rakh Bagh, Ludhiana by the defendants, who remained office bearers of the plaintiff-Society/Club w.e.f. 19.02.1998 upto 31.03.2017, and for recovery of the amount as may be found outstanding after rendition of accounts;

AND

for permanent injunction restraining the defendants from interfering in the day to day business of the plaintiff-Society/Club and from forcibly intruding into the property of the plaintiff-Society/Club and from operating the Bank Account 650210100012194 being maintained by the plaintiff Society with Bank of India, Bharat Nagar Chowk, Ludhiana as well as Bank Account No.1190010097 being maintained by the plaintiff Society with State Bank of India, adjoining Hotel Abhishek, Near Lakshami Cinema, Ludhiana, either by the defendants themselves or through their agents, representatives, attorneys, associates etc., may kindly be passed in favour of the plaintiff and against the defendants with costs.

Any other additional, alternative and equitable relief to which the plaintiff may be found entitled to under law, facts of the present case as well as on equitable consideration, may also be granted in favour of the plaintiff and against the defendants.”

In this suit, the plaintiff failed to get any temporary injunction.



The same Ludhiana Weight Lifting and Body Building Club filed the second suit on 14.02.2018, by impelading Bank of India as additional party apart from most of the defendants in the previous suit. In the second suit, the plaintiff prayed for the following substantive reliefs:-

“It is, therefore, prayed that in the interest of justice, equity and good conscience, a decree for permanent injunction restraining the defendants No.1 and 2 from stopping the operation of the Bank Account No.650210100012194 being maintained by the plaintiff Society/Club with Bank of India, Bharat Nagar Chowk, Near Telephone Exchange, Ludhiana, either by the defendants themselves or through their agents, representatives, attorneys, associates etc. may kindly be passed in favour of the plaintiff and against the defendants with costs.

Any other additional, alternative and suitable relief to which the plaintiff may be found entitled to under law, facts of the present case as well as on equitable consideration, may also be granted in favour of the plaintiff and against the defendants.”

5. In the second suit, the plaintiff was granted the temporary injunction which was subsequently vacated on the ground that the second suit has been filed by concealing the material facts about filing of the first suit. However, the court dismissed the defendants' applications for clubbing both the suits. It is evident that in the first suit as well as in the second suit,

one of the relief is to grant decree of permanent injunction restraining the defendants to operate Bank Account no.650210100012194, in Bank of India apart from other reliefs. Both the suits are at the stage of plaintiff's evidence.

6. Keeping in view the aforesaid facts, it would be in the interest of justice if trial of both the suit is held concurrently. Hence, Civil Judge (Senior Division), is requested to assign both the suits to the Court which is presided over by senior officer amongst them.

7. Disposed of accordingly.

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

(ANIL KSHETARPAL)
JUDGE

February 20, 2025
nt

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