

O.S.No.6/2019

07.02.2020

--ORDER ON I.A.NO.3----

Plaintiff filed I.A.No.3 U/s 151 of CPC, praying this court to consolidate O.S.No.210/2019 in this suit for the reason in the affidavit that, subject matter of dispute in this suit and the subject matter in O.S.No.210/2019 are one and the same and the aforesaid suit is pending before this court. Consolidation of the aforesaid suit is essential, so as to avoid contradictory judgments and prays this court to allow this application.

Defendant do not choose to file objections to I.A.No.3, accordingly, I.A.No.3 objections to I.A.No.3 taken as not filed.

I have heard the argument on I.A.No.3 and perused the records.

It is true that, plaintiff in this case has filed this suit for injunction simplicitor in respect of the property stated at Para No.2 of the plaint. The relief of declaration of title over VPC No.93/1 is sought in O.S.No.210/2019 and the case is reserved for plaintiffs' evidence.

It is true that, subject matter in

dispute in both the suits are not one and the same and reliefs sought in those suits are entirely different. Inasmuch, if the application is not allowed, no hardship will be caused to the plaintiff. Hence, with the aforesaid discussion and to meet the ends of justice, I am passing the following;

--ORDER--

I.A.No.3 filed by the plaintiff is dismissed.

Prl.C.J & Ist Addl JMFC
RNR