

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 778 OF 1984

Order

Coram : R.M. Joshi.
Registrar(Judl.-II)
23rd November, 2015.

By preceipe Advocate for the Appellant is seeking directions to retain the papers of this First Appeal in the High Court on the ground that Civil Application No. 184 of 2015 in Review Petition No. 3914 of 2015 has been filed by the Appellant. The Learned Advocate for the Appellant contended that Review Application is required to be heard by the Hon'ble High Court and hence, the proceeding of the First Appeal needs to be retained in the High Court. As per the amendment to the Maharashtra Civil Courts Act and Bombay High Court A.S. Rules, w.e.f. From 01.09.2015, the High Court has ceased to be competent Court for the purpose of hearing the Appeals, Appeal where the valuation of the subject matter is below One Crore. In the instant case the valuation of subject matter in Appeal is less than One Crore. In such situation w.e.f. 01.09.2015, the District Court has become Competent Court for hearing this First Appeal. It is only for administrative purpose for verifying the proceeding and its physical transfer, the matter is remained in the High Court.

In view of the above according to the registry, the matter deserves to be transferred to the District Court. It is worth while to mention that the Farad Sheet Farad Sheet in First Appeal No. 778 of 1984 shows the Hon'ble Division Bench (Coram : H.L. Gokhale and A.S. Aguiar, JJ.) had passed order to place Civil Applications in First Appeal Nos. 778/1984 and 991/1988 along with First Appeal No. 778 of 1984. Note further shows that the same order would be there in connected matters. In view of the said directions this Appeal cannot be segregated by registry from other matters when it pertains to the Appeal below One Crore.

Sd/

(R.M. Joshi)
Registrar (Judicial-II)

ssk