

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

APPEAL FROM ORDER NO.589 OF 2012

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Ms.Monica Kshirsagar i/b Mr.Atul Singh for the plaintiff

Mr.Saikumar Ramamurthy for the respondent nos.1 to 3

CORAM : K.K.TATED, J.

DATED : 22/01/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 By this Appeal from Order the appellant original plaintiff challenges the order dt.14th March, 2012 passed by Bombay City Civil Court (Dindoshi Branch) at Bombay holding that the City Civil Court has no jurisdiction to entertain and try and S.C.Suit No.269 of 2009.
- 3 Considering the impugned order passed by trial court dt.14.3.2012 and subsequent development about pecuniary jurisdiction of the trial court, I am of the opinion that the matter requires to be remanded to the trial court for

deciding afresh on all the issues.

4 The learned counsel for the respondent original defendant submits that they have no objection for remanding the matter back to the trial court. Hence, following order:

a Impugned order passed by the trial court dt.14.3.2012 holding that the Bombay City Civil Court (Dindoshi Branch) has no jurisdiction is set aside.

b Matter is remanded to the trial court to decide S.C.Suit No.269 of 2006 on its own merits.

c Liberty granted to the respondent original defendant to prefer appropriate application if they so desire under Order 7 Rule 11 of the Code of Civil Procedure.

d Hence, Appeal from Order stands disposed of accordingly.

(K.K.TATED, J.)