

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

MISCELLANEOUS CIVIL APPLICATION 125 OF 2014

Smt. Geeta Gangadhar Morepatil & Ors. Applicants
Vs.
Vishal Gangadhar Morepatil & Ors. Respondents

Mr. Shivaji A. Masal, Advocate for the Applicants.

Mr. Pramod Nanasaheb Patil, Advocate for Respondents no.1, 7 to 9.

Mr. Bhushan Deshmukh h/for Mr. Uday P. Warunjikar, advocate for respondents no. 2 and 3.

Coram : Smt. R.P. SondurBaldota, J.

Date : 10th February, 2015.

P.C.

1 Applicant no.1 is the mother of applicants no.2 and 3. They reside at Mumbai. They have filed application under Section 24 Civil Procedure Code for transfer of Miscellaneous Civil Application No. 98 of 2015 filed by respondent no.1 for succession certificate in Ambejogai Court to this court for hearing in it's Testamentary jurisdiction.

2 The transfer sought is on the ground of the gender of the

applicants and their occupation. The applicants are women. Applicant no.1 is aged about 60 years. Applicant no.2 is a doctor, working in the hospital at Mumbai. Applicant no.3 is also a doctor but doing her post-graduation in Medicines at Mumbai.

3 The application is clearly frivolous and nothing but abuse of process of law. The mere fact that the applicants are women, who have been pursuing their activities in Mumbai is not sufficient for transfer of proceedings filed in the court of competent jurisdiction. Hence, the application is dismissed.

(Smt. R.P. SondurBaldota, J.)