

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.6903 of 2014
(Adityakumar s/o Hukumchand Walali (Jain) and others v. Shashank s/o
Rupchand Jain and another)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri T.S. Deshpande, Advocate for Petitioners.
Shri V.K. Paliwal, Advocate for Respondents.

Coram : R.K. Deshpande, J.

Dated : 9th February, 2015

Even if the contention of the petitioners is accepted, the court fee payable would be on the amount of Rs.4,89,375/- plus Rs.200/- for grant of injunction. The jurisdiction of the Civil Judge, Junior Division to entertain, try and decide the suit is to the extent of Rs.5,00,000/-. Hence, the forum does not change.

In view of this, the petitioners can raise this point in regular civil appeal in the event if the ultimate decision of the Trial Court goes against the petitioners, and the Appellate Court can direct payment of additional court fee, if it is so satisfied.

With these observations, the petition is dismissed.

Judge.