

Sequeira

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

WRIT PETITION NO. 5041 OF 2015

M/s.J.B.Group

.. Petitioner

Vs.

M/s.Saidatta Enterprises

Through its Proprietor

Shri Sandesh Gopinath Kanade & ors.

.. Respondents

None for the Petitioner.

***CORAM : N.M.Jamdar, J.
Tuesday, 6 September 2016.***

P.C. :

On 29 August 2016, the following order was passed-

'Perused the impugned order whereby the learned Principal District Judge, Raigad-Alibaug, has rejected the application filed for transfer of the suit. The Principal District Judge has considered all the aspects before rejection of the application for transfer. I find no substance in the writ petition. However, since the Petitioner is not present, to give one more opportunity to the Petitioner, stand over to 6 September 2016, under the caption 'for Dismissal'.

2. None for the Petitioner.

3. By this petition, the Petitioner had made an application to the learned Principal District Judge Raigad-Alibaug for transfer of the suit from the learned Civil Judge Junior Division Panvel, who was hearing the suit. It was the grievance of the Petitioner that the suit needs to be transferred as the learned trial Judge had shown haste during decision of the status-quo application. The learned District Judge has gone through the application and has found that even if objection to the jurisdiction is taken it does not prevent the Court from deciding ad-interim orders and the learned District Judge has considered the pendency of the matters and has rejected the application for transfer. There is absolutely no error in the view taken by the learned Principal District Judge. The application for transfer is entirely frivolous. After filing the Writ Petition, none has appeared on behalf of the Petitioner. Writ Petition is rejected.

(N.M.Jamdar, J.)