

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1419 OF 2015
IN
R.C. NO. 864 OF 2015

Mrs. Sunita Swaraj Singh

... Applicant

Vs.

Surindar Basantlal Katyal

... Respondent

Mr. Manoj Mohan Kadam, Advocate for the Applicant.

Ms. Tanaya D. Goswami i/b. Mr. Sudam Kale, Advocate for the respondent.

CORAM: **MRS.MRIDULA BHATKAR, J.**DATE: **3rd FEBRUARY, 2016****P.C.:**

This Application is moved for restoration of the Appeal from Order.

There is delay of two days in filing this Restoration Application.

2. The learned counsel for the applicant submitted that by virtue of notification issued by the Law and Judiciary Department, Government of Maharashtra under Maharashtra Civil Courts (Amendment) Act, 2015 bearing No.CCS.2014/C.R.-25/D-19 dated 31.8.2015, the pecuniary jurisdiction of the District Court is enhanced upto Rs. 1 crore and as the valuation of the suit does not exceed Rs.1 crore, it is to be transferred to District Court, Alibag. He submitted that the Appeal was dismissed for non-compliance of the order of this Court dated 2nd July, 2015, therefore, the Appeal be restored.

3. In view of the order of First Court in *Vikas Baburao Sonawane vs. State of Maharashtra & Ors.* in Writ Petition (L) No. 228 of 2012, this Application for restoration is to be treated as an application for review. Hence, the earlier order of dismissal of Appeal is set aside. The Appeal is restored to its original file and thereafter it stands transferred to District Court, Alibag. Registrar (Judicial) to take note of the same and do the needful by 24th February, 2016. Parties to appear before the concerned District Judge to whom the matter is assigned on 7th March, 2016 at 11 a.m.

5. The Appeal and the application, if any, are disposed of as transferred.

(MRIDULA BHATKAR, J.)