

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4647 OF 2016

IN

FIRST APPEAL NO. 1368 OF 2016

Shri Motilal G. Mathrani

..Applicant

IN THE MATTER BETWEEN

Shri Motilal G. Mathrani

..Appellant

Vs.

Smt Gita R. Pardeshi and Another

..Respondents

Mr. Abhishek Pungliya, for the Applicant / Appellant.

Ms. Manjiri S. Parasnis, for the Respondent No.1.

**CORAM :- S.C. DHARMADHIKARI &
B.P.COLABAWALLA, JJ.**

DATE :- DECEMBER 21, 2016.

P. C.:

Having heard both sides and finding that in the facts peculiar to this case so also to avoid conflicting opinions and judgments, Miscellaneous Civil Appeal No.721 of 2016 on the file of the District Court, Pune deserves to be transferred to this Court and to be heard along with First Appeal No.1368 of 2016 and connected Appeal.

2 We are unable to uphold the objection of Ms Parasnis appearing for the contesting Respondent that this Court in the appellate powers cannot transfer the proceedings from a competent appellate court to this court.

3 We are of the opinion that this court possesses sufficient powers and particularly to render complete justice in exercise of which this relief can be granted. Hence, Civil Application is made absolute in terms of prayer clause (a). No order as to costs.

4 Registry to take the requisite steps so as to bring the paper books in appeal from the District Court.

(B. P. COLABAWALLA, J.) (S. C. DHARMADHIKARI, J.)