

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

CIVIL REVISION APPLICATION NO.219 OF 2017

Zaheer Allahbaksh and ors. : Applicants.
versus
M/s. Sairam and Associates : Respondents.

Mr. Shaikh R Malik for the Applicants.
Mr. S C Wakankar for the Respondents.

CORAM : R. M. SAVANT, J.
DATE : 26th APRIL 2017

P.C.

1 The above Civil Revision Application takes exception to the order dated 27/01/2017 passed by the learned Principal District Judge Pune by which order the Application filed by the Applicants herein under Section 24 of the Code of Civil Procedure for transfer of the suit came to be rejected.

2 The transfer of the suit was sought on the ground that the Applicants would not get fair justice from the Presiding Officer of the concerned Court. The said apprehension was founded on the three instances which had taken place during the course of hearing of the suit. The learned Principal District Judge did not find the said ground to be such as to exercise the powers under Section 24 of the Code of Civil Procedure as the learned Principal District Judge was of the view that if the Defendants are aggrieved by the said orders, they could take recourse in law against them. The learned

Principal District Judge held that the parameters for exercising the powers under Section 24 of the Code of Civil Procedure in the instant case were not made out and accordingly rejected the application.

3 The learned counsel appearing on behalf of the Respondents informed this Court that the suit is being kept for judgment by the Trial Court. Only because of the above Petition being pending in this Court, that the suit is being adjourned for the said purpose.

4 In my view, no case for interference in the revisionary jurisdiction of this Court is made out. The above Civil Revision Application is accordingly dismissed.

[R.M.SAVANT, J]