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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.2340 OF 2016**

Mr. Madan Laxman More	...	Petitioner
vs.		
Mr. Sunil Gajanan Kulkarni & Ors.	...	Respondents

Mr. Sagar Batavia a/w. Mr. M. L. More for the Petitioner.

None for the respondents.

Mr. S. V. Gavand, APP for the State.

**CORAM : A. K. MENON, J.
DATE : 13th JULY, 2017**

P.C.,

1. By this petition the petitioner seeks to challenge an order passed by the Sessions Judge, Pune on 12th February, 2016 rejecting an application for transfer of complaint no. 2906 of 2005 pending before the JMFC (A.C.) Court, Pune to the Additional Chief Judicial Magistrate before whom a separate Criminal Complaint no. 01418 of 2015 is stated to be pending. Some of the parties in both complaints are stated to be the same. The petitioner is stated to be 70 years of age and the learned Advocate has filed this application for transfer of the applications to one any one court.

2. Learned Counsel for the petitioner states that order of the Sessions Judge did not consider the fact that some of the accused are senior citizens and are being made to go from one court to another. According to him the issue in both the cases issues are connected. Without expressing any opinion on the merits of the controversy, I am of the view that it is open for the petitioner to approach the Chief Judicial Magistrate for transfer of the two cases to any one Court in view of the fact that it pertains to the internal administration of the said Court.

3. In the circumstances, I pass the following order :-

(i) The petitioner is at liberty to approach the concerned Chief Judicial Magistrate / Administrative Judge for assignment of these two complaints to one Court. The application if made will be considered in accordance with law.

(ii) It is clarified that the learned Magistrate concerned will hear such application, if made, without being influenced by any of the observations in the impugned order.

(A. K. MENON, J.)