

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO. 192 OF 2017

MAHANANDA RAMESHWAR GHUGE AND ANOTHER
VERSUS
RAJARAM NIVRUTTI GHUGE AND OTHERS

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Advocate for Applicants : Smt.Jadhav Varsha h/f Shri Kasliwal Anil H.

Advocate for Respondents 1 to 4 : Shri Kotkar Sanjay D.

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CORAM : RAVINDRA V. GHUGE, J.

Dated: February 26, 2018

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PER COURT :-

1. The applicant / widow prays for transferring RCS No.75 of 2016 filed by the applicant and RCS No. 111 of 2015 filed by respondent No.4, both pending before the concerned Court at Ghansavangi, District Jalna, to the concerned Court at Latur.

2. Learned Advocate for the respondents submits that both these proceedings, which are sought to be transferred to Latur, have been dismissed by the trial Court. This petition has, therefore, become infructuous.

3. It is jointly submitted that if any of the aggrieved parties who are plaintiffs in the abovesaid two proceedings, desires to file a Regular Civil Appeal under Section 96 of the CPC, such an appeal would lie before the competent Court at Jalna.

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4. Learned counsel for the widow submits that if the parties choose to file their appeals before the competent Court at Jalna, the liberty to move an application for transfer be kept open.

5. Considering the above, this petition is disposed off as being infructuous with liberty as is prayed for by the applicants to move an application for transfer, if so advised, in the event of the filing of the appeal before the competent Court at Jalna.

(RAVINDRA V. GHUGE, J.)

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