

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

FIRST APPEAL NO. 524 OF 2018

Hubtown Ltd. (Earlier known as Akruti City Ltd.) & Anr.	...	Appellants
V/s.		
Lalji Pasoo Shah & Ors.	...	Respondents

- Ms.Pooja V. Thorat a/w. Mr.Anukul B. Seth for the Appellants.
- Mr.Sandesh Patil i/b. Mr.Prithviraj S. Gole for Respondent No.1.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 24th OCTOBER, 2018.

P.C. :

1] As per order passed by this Court on 07/03/2018, this Writ Petition was directed to be converted to the Appeal, however as it was preferred against the order passed by the 9th Jt. Civil Judge, Senior Division, Thane, by invoking the provisions of Order-39 Rule-4 of the Code of Civil Procedure, it should have been 'Appeal From Order'. Therefore, the Office is directed to correct its title as 'Appeal From Order'.

2] Moreover, as on the earlier occasion, it was submitted that the valuation of the suit claim is above Rs.1 crore and therefore, the jurisdiction will lie with this Court.

3] Now, however, learned counsel for Respondent No.1, Mr.Patil, submits that the valuation of the suit claim is Rs.3,56,000/- only.

4] In view thereof, the pecuniary jurisdiction to decide such 'Appeal from Order' will lie before the District Court at Thane. Registry is accordingly directed to transfer this Appeal to the District Court, Thane along with pending Civil Application(s) therein, if any, for trial.

5] The Appeal is disposed of in above terms.

[DR.SHALINI PHANSALKAR-JOSHI, J.]