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

APPEAL FROM ORDER NO.261 OF 2011

Lalman Chandrikaprasad
Chauhan

... Appellant.

V/s.

M/s Jain Associate A.K.A. S.J.
Enterprises

... Respondents

None for the appellant./

Mr. Asutosh Shukla i/by M. U. Pande, for respondent
Nos. 2 to 5.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 20th AUGUST, 2018.

P.C. :

1] Heard learned counsel for respondent.

2] It is fairly conceded by him that the impugned order which was passed by the City Civil Court on 25.10.2016, for return of the plaint to the plaintiff under Order VII Rule 10 of Code of Civil Procedure, on the count that it has no pecuniary jurisdiction to try the suit, has now become infructuous, in view of enhancement of the pecuniary jurisdiction of the City Civil Court upto Rs.1 crore. As observed by the trial Court, in its impugned order, the market value of the land having structure was above Rs.10.62,000/-, in view thereof, in the light of changed circumstances, the impugned order passed by

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the trial Court is set aside as it is held that the City Civil Court has jurisdiction to entertain the suit.

4] The appeal, thus stands disposed off in above terms.

5] The appellant to pay the necessary Court fee stamp as may be directed by the trial Court.

[DR.SHALINI PHANSALKAR-JOSHI, J.]