

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

**FIRST APPEAL NO.1862 OF 2005
with
CROSS OBJECTION ST NO.16324 OF 2006**

M/s.Parag Milk & Milk Products Pvt. Ltd. ... Appellant

Vs.

Virag Constructions ... Respondent

Mr.K.P. Shah i/b P.B. Shah for the Appellant
Mr.Sagar Batavia h/f R.N. Sanghavi for Respondent

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: JANUARY 16, 2018**

P.C. :

1. Learned Counsel for the parties point out that the suit is valued below Rs.1 crore and hence, it is to be transferred to the District Court, Pune. It is pointed out that on 16.12.2008, a conditional order was passed for removal of office objection in Cross Objections Stamp No.16324 of 2006, however, till 13.1.2009, the office objections were not removed and hence, it was dismissed. He submits that the said Cross Objections alongwith the First Appeal are to be transferred to the District Court, Pune. The learned Counsel for the respondent submits that he be allowed to move an application for restoration of Cross

Objections as the respondent wants to remove the office objections.

2. In view of the above, the Registrar (Judicial I) is directed to take steps to transfer the matter and the record and proceedings, if any, to the District Court, Pune on or before 30.1.2018 and the parties to remain present before the District Court on 12.2.2018 at 11am. As the Cross Objections is already filed, liberty is granted to the respondent to move such application for restoration before the District Court.

3. Appeal and the Cross Objections are disposed of as transferred.

(MRIDULA BHATKAR, J.)