

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

MISCELLANEOUS CIVIL APPLICATION NO.35 OF 2018

S.N. Chaturvedi ... Applicant
Vs.
Navoday Management Services Ltd. & Ors. ... Respondents

Mr.P.G. Sabnis for the Applicant
Mr.R.J. Dhond, for Respondent Nos.2 and 3

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: FEBRUARY 28, 2018**

P.C. :

1. The application is moved by the original defendant No.2 in the Suit No.9437 of 1999 for retransfer of the suit from City Civil Court, Mumbai to Bombay High Court (Original Side). The learned Counsel for the applicant submits that respondent No.1 has filed total three suits in the High Court. The other suits are numbered as 3510 of 1999 and 1945 of 2006. The contesting parties in all the three suits are the same and the transactions are of identical nature. The learned Counsel prays that therefore, the suit which is filed before the Bombay City Civil Court is to be transferred to the Original Side of the Bombay High Court, so that all the suits can be tried and decided together. It is also submitted that this suit is valued for Rs.92 lakhs.

2. Learned Counsel appearing for Respondent Nos.2 and 3 has no objection for transfer. The learned Counsel for the applicant submits that consent of respondent No.1 is already recorded and respondent No.4 is not appearing in the matter.

3. In view of the submissions of the parties, as the contesting parties are the same and the issues involved are identical, in order to save Judge hours, the Suit No.9437 of 1999 pending before the Bombay City Civil Court, Mumbai is transferred to the Original Side of the Bombay High Court.

4. Application is allowed accordingly.

(MRIDULA BHATKAR, J.)