

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12772 OF 2019

PAWANRAJ MADANRAJ SURANA
VERSUS
RAMKRUSHNA GANGARAM BOBADE

Mrs.P.V.Langhe, Advocate for the petitioner.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 15/10/2019

PER COURT :

1. The petitioner is the original defendant in Spl.C.S.No.81/2015. An application was filed before the learned Principal District Judge bearing Civil M.A.No.202/2018 seeking a transfer of the proceedings from the learned Civil Judge, S.D.Jalna to any other learned Civil Judge, S.D.Jalna. The learned Principal District Judge has considered the contentions of the petitioner, has perused the record and has passed the impugned order dated 01/07/2019, dismissing the application.

2. After hearing the learned Advocate for the petitioner, I informed the learned Advocate that this petition is being dismissed and I am imposing costs of Rs.25,000/- on the petitioner to be donated for a

public cause.

3. The learned Advocate for the petitioner submits that the petitioner may be permitted to withdraw this petition.

4. I find that in such matters, if leniency is shown, litigants would get away after making allegations against Judges. These are indications of browbeating the Court.

5. In view of the above, this petition is permitted to be withdrawn and is dismissed as withdrawn with the following directions :-

[a] The petitioner shall deposit an amount of Rs.5,000/- in this Court on or before 11/11/2019 and the said amount shall be donated for the treatment of poor patients with the Government Medical College and Hospital, Aurangabad, **through Medical Officer, High Court Dispensary, Aurangabad**, either in cash or by Demand Draft (Demand Draft be drawn in the name of “**Dean, Government Medical College and Hospital, Aurangabad Dengi Samiti**”).

[b] The petitioner shall tender a personal affidavit apology before the learned Civil Judge, S.D., dealing with SCS No.81/2015 at Jalna, on or before 22/10/2019. He shall give an assurance in the affidavit that no allegations would henceforth be made against any Judge.

[c] If either of the above conditions are not complied with, the defence of the petitioner in the said suit shall be struck off.

(Ravindra V.Ghuge, J.)