

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13242 OF 2019

MALLOJI SHAHAJIRAO PATIL AND ANOTHER
VERSUS
SAROJANI PRATAPRAO PATIL

Mr.G.J.Kore, Advocate for the petitioners.
Mr.S.S.Jadhav, Advocate for the respondent.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 05/11/2019

PER COURT :

1. The petitioners/original defendants in RCS No.1578/2018 are aggrieved by the order dated 20/08/2019 passed by the Trial Court by which application Exh.37 preferred by the petitioners seeking transfer of the counter claim to the Court of the learned Civil Judge, S.D.Osmanabad under Order VII Rule 10-A of the CPC, has been partly allowed. The counter claim is returned to the petitioners to be presented before the competent Court.

2. Grievance is that the suit filed by the plaintiffs is before the learned Civil Judge, J.D. and the counter claim would be registered before the learned Civil Judge, S.D. It is prayed that the counter

claim be placed before the learned Civil Judge, J.D. or the entire proceedings be transferred to the learned Civil Judge, S.D.

3. The petitioners can approach the learned Principal District Judge with the said request and for which this petition need not be entertained.

4. The petition is therefore disposed off with liberty to the petitioners to initiate appropriate steps.

(Ravindra V.Ghuge, J.)