

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

APPEAL FROM ORDER (ST.) NO.11699/2020

ABDUL GANI ABDUL GAFUR

VERSUS

SHAIKH MANJUR AHMED ABDUL MAJID.

.....

Shri A.S. Deshmukh, Advocate for appellant.

CORAM: V.L. ACHLIYA, J.

DATE: 13.07.2020

PER COURT :

1] Heard learned counsel for the appellant. Perused the impugned order.

2] The appellant has challenged the order dated 9.6.2020 passed by the learned Civil Judge (J.D.), Jintur Dist.Parbhani, whereby the plaint has been directed to be returned for its presentation to proper Court having jurisdiction to hear and decide the suit.

3] On due consideration of the submissions in the light of order passed, I am of the view that the order passed by the learned Judge calls for no interference. It is an admitted position that in the agreement of sale, the property is agreed to be sold for consideration of Rs.20,00,000/-. In the suit filed, the plaintiff has valued the suit for the purpose of Court fees and jurisdiction at

Rs.2,66,353/-. Considering the objection raised by the Registry, the learned Judge has passed the order to return the plaint for its presentation to proper Court having pecuniary jurisdiction to try the suit. In that view, the order passed by the learned Judge is perfectly legal and proper and calls for no interference. I am, therefore, not inclined to entertain the appeal. Accordingly, the appeal is dismissed.

(V.L. ACHLIYA, J.)