

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO.1644 OF 2020
WITH
CIVIL APPLICATION NO.4684 OF 2020
IN FA/1644/2020 WITH **CA/6564/2020** IN FA/1644/2020

THE OSMANABAD JANTA SAHAKARI BANK LTD. OSMANABAD
VERSUS
CHANDRASENA PANDHARINATH GUNALE AND OTHERS

Mr.A.N.Irpatgire, Advocate for the appellant.
Mr.J.R.Patil, Advocate for respondent No.2.

(CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, JJ)

DATE : SEPTEMBER 22, 2021

PER COURT :

1. Considering the law laid down by the learned Full Bench of this Court in **Kazi Syed Saifuddin Vs. Kasturchand Abhayrajji Golchha** [1999(2) Mh.L.J. 675], concluding that, “*in a suit for eviction of tenant on determination of tenancy, Forum of appeal challenging the decree passed consequent on enquiry under Order 20 Rule 12(1)(c) as regards mesne profit, the valuation of the suit will determine the forum of appeal and not the quantum of mesne profit,*” that the learned Advocate for the appellant prays for transferring his first appeal to the

Court of the learned District Judge at Ahmedpur, Dist. Latur.

2. In view of the above, the Registry of this Court is directed to transfer FA No.1644/2020 alongwith CA Nos.4684/2020 and 6564/2020 to the learned District Judge at Ahmedpur, Dist. Latur.

3. *Humdast* granted on request.

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)