

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

WRIT PETITION NO. 5971 OF 2012

M/s Polybound India Pvt. Ltd. Co. Petitioners

Vs.

M/s Somcast Founders & Engineers Respondents

Mr. U.B. Nighot for Petitioners.

Mr. P.S. Kulkarni for Respondents

Coram : NITIN W. SAMBRE, J.

Date : 12TH MARCH, 2021

P.C.:

1. In view of amendment to Section 9-A of C.P.C., the prayer for framing preliminary issue in regard to the jurisdiction cannot be considered.

2. However, the petition is disposed of with liberty to the Respondents particularly in the backdrop of no objection given by the Respondents for transferring the Suit to Pune Court to take out proceedings either under Section 24 C.P.C. or for return of plaint under the C.P.C.

3. It is informed by the Counsel for Respondents-Plaintiffs that such step shall be taken in any case within a period of four weeks from today.

(NITIN W. SAMBRE, J.)