

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3890 OF 2022

SACHIN ARUN RANSUBHE
VERSUS
RAJENDRA WAMAN SONAR AND OTHERS

...

Advocate for Petitioner : Mr. Deepak Chaudhari

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 29th MARCH, 2022

ORDER :

1. This petition impugns the order passed by the learned Principal District & Sessions Judge, Ahmednagar thereby transferring the Special Civil Suit No. 130/2021 filed by the petitioner which was pending on the file of 11th Joint Civil Judge Senior Division, Ahmednagar to the Court of 7th Joint Civil Judge Senior Division, Ahmednagar for hearing and disposal in accordance with law, where connected Regular Darkhast No. 167/2019 is pending.

2. The learned advocate for the petitioner strenuously submitted that the subject matter of the civil suit and regular darkhast are entirely different, and therefore the impugned order passed by the

learned Principal District & Sessions Judge, Ahmednagar, since is passed without hearing the petitioner, the same is liable to be quashed and set aside.

3. Section 24 of Code of Civil Procedure empowers the District Court to transfer any suit, appeal or other proceedings, on its own motion without notice. There is no prejudice caused to the petitioner by said transfer as the suit of the petitioner is transferred from one Civil Judge Senior Division at Ahmednagar to other Civil Judge Senior Division at the same place. The petitioner cannot as of right claim that the proceedings filed by him before a particular Court must be decided by the said Court.

4. There is no illegality or perversity in the impugned order. No case is made out to warrant interference in the extra ordinary writ jurisdiction. The writ petition is therefore dismissed.

[NITIN B. SURYAWANSHI]
JUDGE