

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

905 WRIT PETITION NO.10651 OF 2022

SOMNATH TATYARAO JADHAV

VERSUS

KANTABAI PRABHAKAR DESHPANDE DIED

THROUGH LRS ANANT PRABHAKAR DESHPANDE AND OTHERS

...

Advocate for Petitioner : Mr. Raviprasad K. Ashtekar
Advocate for Respondent Nos.1 to 3 : Mr. N.D. Sevekar

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CORAM : SANDEEP V. MARNE, J.

DATE : 19-10-2022

PER COURT :

. The petitioner's application for framing preliminary issue of jurisdiction has been rejected by order dated 13.04.2022 passed by IInd Jt. Civil Judge Senior Division, Aurangabad in Spl. Civil Suit No.368 of 2008, which is impugned in the present petition. The objection to the jurisdiction is raised essentially on the ground that the pecuniary jurisdiction of the Civil Judge, Junior Division has been enhanced to Rs. Five Lac and that therefore the Civil Judge Senior Division with whom the suit is lodged would not have jurisdiction to decide the suit. Mr. Ashtekar, the learned counsel for the petitioner fairly admits that the jurisdiction of Civil Judge, Senior Division in such a case would not be barred. Considering this position, there is no merit in the present petition and the same is dismissed.

(SANDEEP V. MARNE, J.)