

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

**1008 FIRST APPEAL NO.3 OF 2002
WITH CA/4292/2015 IN FA/3/2002**

**M/S. M.B.GHARPURAY ENGINEER AND CONTRACTORS
VERSUS
STATE OF MAHARASHTRA**

...
Mr. S.S. Koche, Advocate holding for Mr. D.P. Palodkar,
Advocate for the appellant.
Mr. S.N. Kendre, A.G.P. for respondent - State
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20th January 2023.

ORDER:-

1. The present appeal is pending in this Court since 2002, however, as per Section 28C of the Maharashtra Civil Courts (Amendment) Act, 2015, all the appeals in which the amount or value of subject-matter does not exceed One Crore Rupees and pending before the High Court immediately before such commencement, shall stand transferred to the concerned District Court and such District Court may deal with such appeal from the stage which was reached before such transfer or from any earlier state or *de-novo* as such Court may deem fit.

2. It appears that subject-matter of the suit against which this appeal is preferred, appears to be recovery of

Rs.53,03,818/-. Since the suit of the appellant - plaintiff has been dismissed, the appeal is also valued for the aforesaid amount. Thus, in view of the aforesaid Section 28C of Maharashtra Civil Courts (Amendment) Act, 2015, the appeal is transferred to the Principal District Judge, Nanded for disposal according to law alongwith the record and proceeding of the aforesaid Special Civil Suit No.54/1989.

(SANDIPKUMAR C. MORE, J.)