

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.1902 OF 2006
A/W
CIVIL APPLICATION NO.280 OF 2020

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders
CORAM : <u>Shri S.R. AGRAWAL</u> <u>REGISTRAR (JUDL. - II)</u> DATE : 05/12/2024 Advocate Sujay H. Gangal present for Respondent Nos.1.1 and 1.2. The learned Advocate appearing for Respondent Nos. 1.1 and 1.2 has filed praceipe dated 26/11/2024 informing that in view of Circular dated 01/09/2015 and amendment in the Maharashtra Civil Courts (Amendment) Act, 2015, all the pending First Appeals (except Statutory Appeals) will have to be transferred to the District Court, where value of the subject matter is upto Rs.1 Crore with effect from 01/09/2015. He submitted that the claim of suit and valuation of present Appeal is Rs.18,64,193/- and therefore, necessary orders may be passed. On perusal of the record and the Office Note of Section Officer, it reveals that the	

claim of suit and valuation of aforesaid Appeal is Rs.18,64,193/-.

In this regard, it is to be noted that by virtue of Maharashtra Civil Courts (Amendment) Act, 2015 (Maharashtra Act No. XXII of 2015) Section 26 of the Bombay Civil Courts Act, 1869 has been amended and therefore, Appeals wherein the value of the suit is upto Rs.1 Crore and which is pending before the Hon'ble Court shall stand transferred to the concerned District Court. Such Amendment has been made applicable to all pending Appeals by virtue of insertion of Section-28 in Maharashtra Civil Courts Act, 2015.

Likewise in view of Circular dated 01/09/2015 issued by the Registrar (Judicial-I), all the officials of the Registry are directed to transfer all pending First Appeals (except Statutory Appeals) at the principal seat and the benches at Nagpur and Aurangabad to the District Courts concerned, where value of the subject matter is upto Rs.1 Crore with effect from 01/09/2015.

Since the claim of the suit and the value of the present Appeal is Rs.18,64,193/-, in view of aforesaid amendment in the Maharashtra Civil Courts (Amendment) Act, 2015 and the Circular dated 01/09/2015 issued by the Registrar

(Judicial-I), it is necessary to transfer present First Appeal No. 1902 of 2006 and Civil Application No.280 of 2020 to the concerned District Court. Hence, the office is directed to transfer present First Appeal No. 1902 of 2006 and Civil Application No.280 of 2020 to the concerned District Court.

Office to act accordingly.

sd/-

Registrar (Judl. - II)

amr