

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**APPEAL NO.56 OF 2020
IN
NOTICE OF MOTION NO.643 OF 2018
IN
SUIT NO.717 OF 2013
WITH
INTERIM APPLICATION NO.513 OF 2019
IN
APPEAL NO.56 OF 2020**

Zainab Rafiullah Shaikh : Appellant/Applicant.
(Original Defendant No.3)

Vs.

Puthenveedu Joseph Mathew & ors. : Respondents.

Mr. Anil V. Anturkar, Senior Advocate a/w Mr. Pradhuman Chauhan and Mr. Arya Sapre for the Appellant/Applicant.

Mr. Mayur Khandeparkar a/w Mr. Vikramjit Garewal, Mr. Umesh Tiwari i/by Advocate Rashmi Pendse for Respondent No.3.

Mr. S. K. Dhekale, Court Receiver, present.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.
DATE : 12th FEBRUARY 2024**

P.C.

1. Mr. Anturkar, learned Senior Counsel appearing on behalf of the Appellant, submitted that the captioned Appeal was filed against the Order dated 3rd July 2019 by which the Notice of Motion filed by the Appellant under the provisions of Order VII Rules 10 & 11 seeking return of Plaint was dismissed.

2. Mr. Anturkar submitted that in view of amendment to the Bombay City Civil Court Act, 1948, whereby pecuniary jurisdiction of the City Civil Court has been increased up to Rs.10 crores, the Suit is transferred to City Civil Court, Mumbai. He thus, on the instructions, submitted that the Appellant is not pressing the captioned Appeal.

3. The captioned Appeal is therefore disposed of as not pressed.

4. In view of disposal of the captioned Appeal, Interim

Application No.513 of 2019 does not survive and the same is accordingly disposed of.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)