



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4414 OF 2024

Maharashtra Prantiy Somwanshiy Sahastrarjun Kshatriya
Samaj Trust And Another

VERSUS

Shankarsa Rajeshwarsa Gujarathi And Others

- Mr. S. S. Wagh h/f Mr. S. T. Shelke, Advocate for the
Petitioners

CORAM : R. M. JOSHI, J
DATE : SEPTEMBER 15, 2025

PER COURT :

1. This Petition takes exception to the order dated 12.03.2024 passed below Exh. 1 whereby the Application filed by the Defendant came to be rejected and order came to be passed under Order VII, Rule 10 of Code of Civil Procedure of return of plaint for its presentation before appropriate Court.

2. Heard learned Counsel for Petitioner.

3. Perusal of the record indicates that the Petitioner/Plaintiff trust is duly registered at Solapur. Suit came to be filed before the Court at Sangamner only on the ground that the address of residence of Secretary and Chairman of the Trust is at

Sagamner, so also the trust has bank account at Sangamner.

4. In order to vest the jurisdiction with a Civil Court, either the Defendants must be residing within the jurisdiction of the Court or the cause of action has arisen. Perusal of the plaint does not indicate that Defendants are residents of Sangamner. Similarly, no cause of action has seems to have been arisen at Sangamner for filing the suit at Sangamner.

5. Having regard to these facts, order passed by the Trial Court of return of plaint for its presentation before appropriate Court cannot be faulted with. In the result, Petition stands dismissed.

(R. M. JOSHI, J.)