



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

902 MISC.CIVIL APPLICATION NO. 244 OF 2019

**WAMAN RAMCHANDRA KURTADIKAR AND OTHER
VERSUS
JEEVAN SHANKARRAO KURTADIKAR**

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Mr. Gangakhedkar Shailendra S, Advocate for Applicant

Mr. Pravin D. Kulkarni h/for Mr. Narwadkar Mrigesh D., Advocate for
Respondent

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 02.07.2025

PER COURT :-

1. Applicants are seeking transfer of Regular Civil Suit No.55 of 2018 pending before learned Civil Judge, Junior Division, Kalamnuri to the Court of learned Civil Judge, Junior Division at Nanded.

2. Learned Advocate appearing for applicants submits that applicant No.1 is old aged person and residing at Kurtadikar Wada, Chikhalwadi Corner, Nanded. It is difficult for him to attend proceeding at Kalamnuri. Therefore, proceeding be transferred to the Court of Civil Judge Junior Division Nanded, as it would be convenient for him to proceed further.

3. Learned Advocate appearing for respondent submits that there were multiple proceedings between the parties and now those are settled and only Regular Civil Suit No.55 of 2018 is pending before the learned Civil Judge, Junior Division, Kalamnuri.

4. According to him, applicant Nos. 2 and 3 are settled at Mumbai and Pune in pursuance to their service. Applicant No.1 need not himself attend Court on every occasion. Therefore, there are no grounds for transfer of proceeding.

5. Having considered submissions advanced, except old age of applicant No.1, no other ground is made out for transfer of proceeding.

6. Learned Advocate appearing for respondent has rightly pointed out that even respondent-plaintiff is 80 years old; hence, transfer of proceeding would cause serious prejudice to him.

7. In that view of the matter, no ground is made out to exercise powers under Section 24 of Civil Procedure Code for transfer of proceeding as prayed.

8. In result, Miscellaneous Civil Application stands rejected.

[S. G. CHAPALGAONKAR, J.]