



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

913 APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 195 OF 2019  
WITH APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 196 OF 2019  
WITH APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 197 OF 2019  
WITH APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 198 OF 2019  
WITH APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 199 OF 2019  
WITH APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 201 OF 2019  
WITH APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 202 OF 2019

MADHUSUDAN S/O. RAMKUNWAR RATHI  
VERSUS  
MUKUND S/O. SHRINIWAS ZANWAR

...  
Advocate for Appellant : Mr. Navin Shah h/f Mr. Sharad V. Natu  
Advocate for Respondent : Mr. Nikhil Santosh Jaju  
...

CORAM : ABHAY S. WAGHWASE, J.  
DATED : 09 DECEMBER 2025

PER COURT :-

1. Learned counsel for the applicant points out that, the instant applications have been preferred seeking leave to file appeals against the order of acquittal from offence under Section 138 of the Negotiable Instruments Act. He prays that, now, in view of the decision of the Hon'ble Supreme Court in *Celestium Financial v. Ganasekaran Etc.* [(2025) SCC OnLine SC 1320], he would contest the appeals before learned District and Sessions Court and hence urges that the applications be transferred to the District Court.

2. In view of the above, the following order is passed :

**ORDER**

I. The present proceedings be transferred to the concerned District and Sessions Court. Learned Registrar (Judicial) of this Court to take further necessary action for transferring these matters to the concerned District and Sessions Court, immediately.

II. The learned Sessions Court to whom these matters will be assigned, after registering it, shall issue notice to the concerned parties, and thereafter, proceed further with the matters in accordance with law.

III. The concerned Sessions Court shall treat these matters as appeals under proviso to Section 372 of the Code of Criminal Procedure as per the observations of the Hon'ble Supreme Court in the case of *Celestium Financial* (supra).

**[ABHAY S. WAGHWASE, J.]**