

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 462 OF 2024

ANAND
SUDHAKAR
SUDAME

Sudha Bhagwati Kimothi

..Applicant

Versus

Godavari Urban Multi State Credit Co-operative
Society Ltd., Nanded

..Respondents

Digitally signed by
ANAND
SUDHAKAR
SUDAME

Mr. Nikhil Wadikar (Through VC) a/w. Mr. Rushikesh Desai, Advocates,
for the Applicant

Date: 2025.10.17
19:02:07 +0530

CORAM : RAJESH S. PATIL, J.

DATE : 17.10.2025

P. C.

1. This is an Application for transfer of the Arbitration Petition filed under Section 34 of the Arbitration and Conciliation Act, 1996(**“The Act”**) by the Applicant before the learned District Court – Nanded to be transferred to the Original Side, High Court, Bombay.

2. Having heard learned Counsel for both the parties, I am of the view that the Petition which is filed in the month of July, 2024 cannot be transferred to the Original Side of this Court, since the Applicant on its own has filed the Petition under Section 34 of the Act before the learned District Court – Nanded, since the Arbitration Award is passed by the Arbitrator whose seat was at Nanded. So also the addresses in the cause title of the Application are of Panvel and Thane. Hence, none

of the Applicants are within the jurisdiction of the Original Side, High Court, Bombay. Further more, Respondent – Urban Multistate Credit Co-operative Society’s office is at Nanded though having branch office in Mumbai.

3. Argument on behalf of learned Counsel for the Applicant that it is inconvenient for the Applicant to attend the Court proceeding at Nanded.

4. According to me, there is no merit in the Application, since under Section 34 of the Act, parties are not supposed to lead evidence. Section 34 Petition is filed way back in July, 2024 and is to be heard on merits for which learned Counsel for the Applicant is required to make submissions before the learned Judge, District Court, Nanded. Hence, according to me, suffice would be purpose if the hearing of the Application is expedited.

5. The Miscellaneous Civil Application stands disposed of with the direction to the learned Judge, District Court, Nanded to expedite the hearing of the CMA No. 222 of 2024.

(RAJESH S. PATIL, J.)