

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO.569 OF 2024

Zoeb Ebrahim Nagree

...Applicant

vs.

Mansoor Ebrahim Nagree and Ors.

...Respondents

VISHAL
SUBHASH
PAREKAR

Digitally signed by
VISHAL SUBHASH
PAREKAR
Date: 2025.03.03
10:24:49 +0530

Mr. Siddharth Joshi a/w. Ms. Snigdha Mankar, Ms. Vanshika Shroff
i/b. Jadeja & Satiya, for the Applicant.

Mr. Aarooha Kulkarni a/w. Ms. Rashne Mjulla-Feroze i/b. Federal &
Co., for Respondent No. 2.

CORAM : N. J. JAMADAR, J.

DATE : FEBRUARY 28, 2025

P.C:

1. Heard the learned counsel for the parties.
2. This is an application for transfer of the Suit No.3065 of 2024 from the City Civil Court, Bombay to the Original Side of this Court for hearing and disposal in accordance with law.
3. It is submitted that the value of the suit property is Rs. 24,59,97,000/-. A Valuation Report (Exh.G) is appended to the application. The suit claim exceeds the pecuniary limits of jurisdiction of the City Civil Court. The suit was, however, incorrectly transferred to the City Civil Court in the wake of enhancement of the pecuniary jurisdiction of the City Civil Court.
4. The learned counsel for the respondent submits that respondent objects to the manner of the description of the property

in the plaint. Prima facie, it appears that the suit claim exceeds the pecuniary limits of the jurisdiction of the City Civil Court. Thus, the Suit No. 3065 of 2024 deserves to be transferred from the City Civil Court to the High Court for hearing and disposal in accordance with law.

Hence, the following order.

ORDER

- 1] The application stands allowed in terms of prayer clause (a).
- 2] The Suit No.3065 of 2024 stands transferred from the City Civil Court, Mumbai to this Court for hearing and disposal in accordance with law.
- 3] The contentions of the respondent/defendant regarding the description of the suit property and valuation of the suit claim are kept open for determination.
- 4] The learned Judge, City Civil Court shall transfer the record and proceedings in Suit No. 3065 of 2024 with such dispatch that it reaches this Court within a period of four weeks from the date of communication of this order.

(N. J. JAMADAR, J.)