



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 387/2025

WITH

INTERIM APPLICATION (ST) NO. 31256/2025

IN

MISC. CIVIL APPLICATION NO. 387/2025

Prem Satyadev Sood

..Applicant

VS

**Barun Investment company Private Limited
& Ors.**

..Respondents

Mr.Prem Sood – Applicant present in person.

Mr.G. H. Keluskar for the Respondent No.1.

CORAM : RAJESH S. PATIL, J.

DATE : 13 OCTOBER, 2025

P.C. :-

1) This Miscellaneous Civil Application has been filed by the applicant who is appearing in person, seeking transfer of the eviction proceeding filed under the Maharashtra Rent Control Act from 17th Small Causes Court, Mumbai to any other Court in the Small Causes Court, Mumbai.

2) At the outset, Mr.Keluskar, learned advocate appearing for the respondent no.1 (landlord) has taken objection that the present applicant cannot appear in person as there is Vakalatnama filed by

lawyer by name Mr.Vikas Kamlesh Rai. He submitted that even on the previous occasions i.e. 23 September 2025, 3 October 2025 and 7 October 2025, it is the present applicant who appeared in person without informing this Court or taking permission from the Registry of this Court. Therefore, such practice should not be allowed.

3) Mr. Keluskar, learned advocate appearing for the respondent no.1 submits that the learned Judge of the Small Causes Court objected to the act of the applicant of taking photograph of the court documents on his mobile. Mr.Keluskar submitted that the said act of the applicant same has been recorded in the order dated 28 August, 2025.

4) Mr.Sood, has handed over e-mail dated 7 October, 2025 issued by the Registrar (Judicial-I) of this Court whereby permission was granted to him to appear in person subject to his advocate on record taking discharge. It appears from the record that advocate Mr.Vikas Rai and advocate Ms.Nazia Sheikh have not taken discharge as advocate of the applicant from the present proceedings. Prima facie, I am of the view that such kind of practice undertaken by Mr.Sood should be deprecated.

5) Transfer application under Section 24 of the Code of Civil Procedure, 1908 has been filed on the ground that, abruptly the cross

examination of the applicant was closed by the Judge of the Court of Small Causes by passing certain remarks, which were unnecessary. Further it is stated that the matter was good on merits, however, the Judge proceeded further without considering the provisions of law, hence, the applicant feels he will not get justice, therefore this Court should transfer the proceeding to any other Judge of the Small Causes Court at Bombay.

6) After hearing learned advocates for both the sides and considering the facts of the present proceedings, I do not find any ground to use the discretionary power under Section 24 of the C.P.C. to transfer the proceedings. Hence, **Miscellaneous Civil Application stands rejected.**

7) In sequel, Interim application also stands rejected.

[RAJESH S. PATIL, J.]