



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

MISCELLANEOUS CIVIL APPLICATION NO. 156 OF 2024

Sarvadnya Ravish Borawake
Minor, Through Guardian Mother
Harshda Ravish Borawake

..APPLICANT

VERSUS

Ramesh Eknath Borawake
(Deceased) Through L.Rs.
Ravish Ramesh Borawake and Others

..RESPONDENTS

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Mr. M.A. Shaikh Jahagirdar, Advocate for the applicant
Mr. PD. Wakhare, Advocate h/f Mr. A.V. Lavte, Advocate for respondents

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CORAM : ABHAY J. MANTRI, J.
DATE : 21st APRIL, 2026

PER COURT :

1. The Applicant / Minor, through her guardian mother, filed this Application seeking transfer of R.C.S. No. 171 of 2024 filed by him before the learned C. J. J. D., Baramati, to the learned C. J. J. D., Shrirampur.
2. Heard learned counsel for both parties. Perused the Application and record.
3. At the outset, it appears that the Applicant himself filed the suit for the relief of declaration, partition, possession and injunction in the court of learned C. J. J. D., Baramati. In paragraph no. 8 of the plaint in R.C.S. No.

171 of 2024, it is categorically stated that the learned C. J. J. D., Baramati, has territorial jurisdiction to try and entertain the suit, and therefore, the suit has been filed there.

4. A query was put to the learned counsel for the Applicant as to how the Court at Shrirampur has jurisdiction to try and entertain the suit in view of Section 16 of the Code of Civil Procedure. He could not reply and explain the same. On the other hand, the averment in paragraph no. 8 of the plaint itself indicates that the Court at Baramati has jurisdiction to try and entertain the suit. It is also undisputed that all the properties are situated within the jurisdiction of Baramati. On that count alone, I do not find substance in the contention of learned counsel for the Applicant to transfer the matter from the Baramati Court to the Shrirampur Court.

5. In the Application, the Applicant has only contended that, being a minor, he has filed the suit through his mother, and the suit was required to be filed before the learned C. J. J. D., Baramati. However, the Applicant and his mother reside in Shrirampur, which is 192 km away. Therefore, he has sought to transfer the said matter from the Baramati court to the Shrirampur court. It is pertinent to note that this is a civil proceeding, and parties do not necessarily have to attend the matter on each and every date; their Advocate may appear on their behalf. Only after framing the issues and listing the matter for evidence will the parties have to attend the proceedings; therefore,

it is not necessary to attend the proceedings on each date. The appointed Advocate can look into the matter.

6. The applicant can take recourse to the Video Conference, if required, with the permission of the court to attend the proceeding. Therefore, there is no need to transfer the said proceeding to a court without territorial jurisdiction, and I do not find that it would cause any inconvenience to the Applicant to attend the proceeding at Baramati.

7. As such, I do not find any merit in the application. Hence, the *Miscellaneous Civil Application is rejected.*

8. Needless to clarify, the applicant can avail the Video Conference facility, with the permission of the concerned court, to attend the proceedings.

9. The application is disposed of.

(ABHAY J. MANTRI, J.)

SSD