



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

32 APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 78 OF 2025
WITH APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 77 OF 2025
WITH APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 80 OF 2025

SHIVDATT SHRIRANG DHAS
VERSUS
BAPUSAHEB GITARAM KARDILE

...
Advocate for Appellant : Mr. Shubham Dattatrya Jayabhar
Advocate for Respondent no.2 : Mr. Sidhesh V. Jadhwar
....

CORAM : ABHAY S. WAGHWASE, J.

DATE : 09 MARCH, 2026

ORDER :-

1. Learned counsel appearing for the applicants points out that, the instant applications are preferred seeking leave to file appeals. That, applications for leave to appeal are 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 above matters before learned District and Sessions Court and hence urges that, the same be transferred to the learned District Court.

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

ORDER

I. The present matters be transferred to the concerned District and Sessions Court.

II. Learned Registrar (Judicial) of this Court to take further necessary action for transferring these matters to the concerned District and Sessions Court, immediately.

III. The concerned District and 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.

IV. The concerned District and Sessions Court shall treat the applications for leave to appeal 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).

V. Applications for leave to appeal are accordingly disposed of.

(ABHAY S. WAGHWASE)
JUDGE