

Order Below Exh.1 in CMA No.226/2025

1. The present application has been preferred by the applicants seeking transfer of RCS No.273/2022 and RCS No.107/2025 which are pending in different civil courts at Bharuch to any one court, having jurisdiction.
2. It is submitted by Ld. Advocate for the applicants that, the applicants had filed RCS No.273/2022 against opponents which is pending in the court of learned 3rd Additional Civil Judge, Bharuch, whereas, RCS No.107/2025 filed by the opponents against applicants which is pending in the court of learned Additional Civil Judge, Bharuch. It is further submitted that RCS No.273/2022 has been filed under the provisions of the Gujarat Rents, Hotel and Lodging House Rates Control Act, 1947, seeking declaration that the applicants are tenants in respect of the property bearing Survey No.1597, admeasuring 14.28 square meters. It is also submitted that RCS No.107/2025 has been filed for possession of the said 14.28 square meters of land, in which the applicants are presently residing. It is further submitted that the issues involved in both the suits are identical and both pertain to the same property bearing the same survey number. Hence, he has submitted to allow this application.
3. On behalf of opponents, Ld. Advocate has appeared and submitted pursis at Exh.6 stating that he has no objection if both the suits are tried by one court.

4. Hence, considering no objection pursis as well as fact that issue involved in the suits is the same, and therefore to avoid conflicting decisions and multiplicity of the proceedings, following order is passed:-

ORDER

1. The present application stands allowed.
2. RCS No.107/2025 pending in the court of Additional Civil Judge, Bharuch is hereby ordered to be transferred to the court of learned 3rd Additional Civil Judge, Bharuch where RCS No.273/2022 is pending, for disposal in accordance with the law.
3. Yadi be sent to the concerned courts.

Date: 01/05/2026

(Rajesh Karmarsinh Desai)
Principal District Judge,
Bharuch
Code No.GJ00912