

◀ ORDER PASSED BELOW EXH. - 1 ▶
IN
◀ REGULAR CIVIL SUIT NO.99/2012 ▶

[Gangji Kachara Koli etc. Vs. Kanaiylal Jaysukhlal Sindhava]

[1]. The Government of Gujarat is pleased to pass the Gujarat Act No.7/2014 wherein pleased to amend the Gujarat Civil Courts Act, 2005 and the same is being published in the Gujarat Government Gazette (Gujarat Extra Ordinary Volume LV dated 28/07/2014) and pleased to make the amendment in Section 14 with regards to pecuniary limits of the Civil Court which may be prescribed by the Hon'ble High Court by Notification. The Hon'ble High Court of Gujarat is pleased to issue Notification No. C.0202/92 dated 14/10/2014 wherein jurisdiction of the Court of Ld. Civil Judge is being exceeded upto value of subject matter of which does not exceed Rs. 5 lacs and the same is being forwarded vide letter No. C.0202/92 dated 16/10/2014 of the Hon'ble High Court of Gujarat, which is then forwarded to this Court for information and necessary action by the Hon'ble District Court, Junagadh vide letter No. B.1868/14 dated 17/10/2014.

[2]. The Government of Gujarat is further pleased to insert new Section 14-A after Section 14 of Gujarat Civil Courts Act, 2005. The said act of amendment is to be called as Gujarat Civil Courts (Amendment) Act, 2014 and its newly inserted Section 14A read as follow :

Section 14-A - Gujarat Civil Courts (Amendment) Act, 2014 :

All suits and proceedings of a civil nature wherein the subject matter exceeds in amount or value of two lakhs rupees but does not exceed the value or amount as may be specified by the High Court, by notification, from time to time under Section 14, pending in a Court of Senior Civil Judge shall, after such specification by notification, stand transferred to and be disposed of by a Civil Judge within the local limits of his ordinary jurisdiction.”

[3]. Thus, the suits where the subject matter does not exceed Rs.5 lacs are required to be transferred to the Court of Ld. Civil Judge having ordinary and

regular jurisdiction. On going through the facts of the suit, it reveals following particulars :

Value of the suit (Amount Rs.)	Court Fee- Rs.300/-
Property situated in the territorial jurisdiction of the Court	Keshod

[4]. Thus, it is crystal clear that the present suit is triable and disposable by the Ld. Additional Civil Judge, Keshod and therefore the suit is required to be transferred to the said concerned Court of Ld. Additional Civil Judge, Keshod, as per Section 14-A of Gujarat Civil Courts (Amendment) Act, 2014 and hence I pass the following **ORDER** :

◀ **ORDER** ▶

- **The suit is hereby ordered to be transferred to the Court of Ld. Additional Civil Judge, Keshod, having regular & ordinary jurisdiction, for trial and disposal, in accordance with the Law, as per Section 14-A of the Gujarat Civil Courts (Amendment) Act, 2014 and under Section 151 of the Code of Civil Procedure.**
- **Copy of this order be send to the Judicial Branch, District Court, Junagadh, for record and information.**

Signed, pronounced & declared in the open Court on this 11th day of month November of year 2014 at Keshod.

Place: Keshod
Date : 11/11/2014

(Rasikkumar V. Mandani)
PRINCIPAL SENIOR CIVIL JUDGE
TAL.-KESHOD, DISTRICT-JUNAGADH. (GJ00715)