

MHBU010012662025 **Civil Miscellaneous Application No.128/2025**

Rajesh Chokhaji Salve } Applicant

Vs.

Santosh Ramrao Adhav & 4 } Non-
Ors. } applicants**Order below Exh.1.**

(Dt. 07-05-2026)

1] Perused the application and heard learned Advocate Mr. S. R. Sonalkar, appearing for the applicant. Notices were issued to respondents but they failed to appear.

2] It was submitted that non-applicant No.1 being power of attorney holder of non-applicant Nos.2 to 5, entered into an agreement of sale with the applicant. However, the non-applicants were avoiding to perform their part of contract. Therefore, applicant has filed three Special Civil Suits bearing Nos.27/2025, 28/2025 and 29/2025, which are pending for hearing in different Courts at Khamgaon.

3] According to applicant, parties in aforesaid all the suits are the same and applicant has claimed for similar relief. Therefore, applicant submitted that if all the aforesaid suits are placed in any one Court, it will save the time and no prejudice will be caused to the non-applicants.

4] It appears from the record that the applicant has filed three different Special Civil Suits bearing Nos.27/2025, 28/2025 and 29/2025 for specific performance of contract and

or in alternative for refund of the earnest money against the non-applicants, which are pending in different Courts at Khamgaon. In aforesaid suits, parties are same and also applicant has sought same relief. Therefore, submission of the applicant is acceptable and hence, application deserves to be allowed.

5] Hence, for the reasons recorded as above, I pass the following order,

ORDER

- 1] The application (Exh.1) is allowed.
- 2] Special Civil Suit No.28/2025 pending in the Court of Jt. Civil Judge, Senior Division, Khamgaon and Special Civil Suit No.29/2025 pending in the Court of 2nd Jt. Civil Judge, Senior Division, Khamgaon are hereby withdrawn and transferred to the Court of Civil Judge, Senior Division, Khamgaon, for disposal according to law.
- 3] Inform the concerned Courts accordingly.
- 4] Civil M.A. No.128/2025 is disposed of accordingly.

(Dictated, delivered and pronounced in an open Court)

Date :- 07/05/2026.
Buldana.

(S. D. Jagmalani)
Principal District Judge,
Buldana.