

MHKO010046052025



**ORDER BELOW EXH. 1**  
**In Civil Misc.Appl.No.315/2025**  
**Amar Balasaheb Gargate.**  
***Versus***  
**Bhanudas Anandrao Mali & Ors.**

The instant application is filed under Sec. 24 of the Code of Civil Procedure, 1908.

02. It is stated that, the applicant has filed RCS No. 231/2021 against the non applicant Bhanudas Mali for declaration and the same is pending before the Court of Shri. A. C. Doiphode, 7<sup>th</sup> Jt. CJSD, Kolhapur. So also, the non applicant Bhanudas Mali has filed Sp. C. S. No. 252/2017 against the applicant and other non applicant Milind Velhal for specific performance of contract and the same is pending before the Court of Shri. S. R. Kulkarni, 10<sup>th</sup> Jt. CJSD, Kolhapur. The suit property and parties in both suits are the same. To avoid the veracity in orders, both suits needs to be adjudicated by one Court. Hence, applicant prayed to transfer both suits to one Court.

03. The non applicant No. 1 has filed his say below Exh. 9 and requested to pass appropriate orders. Moreover, the non applicant No. 2 has filed his say below Exh. 14 and has consented to transfer the matters to one Court.

04. Heard both sides.

05. Perused record. It is revealed that, the parties and properties in both suits are same. Spl. C. S. No. 252/2017 and RCS No. 231/2021 both matters are posted

for arguments. To avoid the conflicting decisions and veracity of orders, both suits needs to be adjudicated by one Court. Moreover, the non applicants have consented to transfer both suits to one Court. No prejudice would cause to any of the party. Thus, the application deserves to be allowed. Hence, following order.

**ORDER.**

1. Civil Misc. Appl. No. 315/2025 is allowed.
2. RCS No. 231/2021 pending before the Court of Shri. A. C. Doiphode, 7<sup>th</sup> Jt. CJSD, Kolhapur is hereby withdrawn and made over to the file of Court of Shri. S. R. Kulkarni, 10<sup>th</sup> Jt. CJSD, Kolhapur for disposal in accordance with law, with immediate effect.
3. The parties and their advocates shall cooperate for the speedy disposal of the matter and shall avoid unwanted adjournments.
4. The application stands disposed of.

Date : 25/03/2026.  
Kolhapur.

**(Smt. Kavita B. Agrawal)**  
Principal District Judge, Kolhapur.