

ORDER BELOW EXH. NO.1

(Date 28/11/2019)

Defendant no.5 has filed the pursis at Exh.45 and contended that, the plaintiff has deleted defendant no.1 i.e. State of Maharashtra from this suit therefore, this Court has no jurisdiction to entertain this suit. Adv.Shri.A.S.Patil on behalf of defendant no.5 has argued that, the plaintiff has deleted defendant no.1 i.e. State of Maharashtra from this suit and the remaining other defendants are not the Government parties. He has further argued that, this Court has no jurisdiction to entertain this suit. The Civil Judge Junior Division, Ahmedpur is having the jurisdiction to entertain this suit. He has further prayed that, necessary order be passed in that respect.

2) On behalf of the plaintiff Adv.Shri.S.B.Mandade has argued that, defendant no.4 i.e. the Accountant General is come under the purview of State. He has further argued that, defendant no.5 has taken the objection only to prolong the matter. This Court has jurisdiction to entertain this suit. He has further prayed that, the objection raised by defendant no.5 is not maintainable in the eye of law and liable to be rejected.

3) As per the contention of defendant no.5, the plaintiff has deleted defendant no.1 i.e. State of Maharashtra from this suit therefore, this Court has no jurisdiction to entertain this suit. Defendant no.5 has also contended that, the

remaining other defendants are not come under the purview of the State. As per the Article 12 of the Constitution of India defendant no.4 i.e. the Accountant General is come under the purview of the State. In such circumstances, the objection raised by defendant no.5 as per the pursis vide Exh.45 is not maintainable. Therefore, the objection raised by defendant no.5 is rejected.

Ahmedpur.
Date :- 28/11/2019

(A. R. Surve)
Civil Judge Sr.Division,
Ahmedpur.

Certified that PDF copy of Order supra is word-to-word identical to the original Order.

Name of Stenographer : A.S.Kodgire
Dictated on : 28.11.2019
Checked on : 28.11.2019
Signed on : 28.11.2019
Uploaded on : 28.11.2019