

**IN THE COURT OF JT. CIVIL JUDGE JR. DN., KAMPTEE, DISTRICT-  
NAGPUR.**

RCS No. 267/2015  
Shantabai Vs. Purushottam & others

**ORDER PASSED BELOW EXH. 12**  
(Dated 22<sup>nd</sup> March, 2018)

This is an application filed by Defendant no. 3 u/Sec. 9 of Code of Civil Procedure, 1908 for dismissing the suit for want of territorial jurisdiction on the suit property. It is strongly opposed by the plaintiffs by filing reply. It was directed to the Assistant Superintendent of Kamptee to report on it. Accordingly, the Assistant Superintendent submitted his report.

2] Heard the Ld. Advocate Shri. Sachin Kachore for the Defendant no. 3 and the Ld. Advocate Shri. S. S. Adhau for the plaintiffs.

3] The learned Advocate Shri. Sachin Kachore for the Defendant no. 3 submitted that the suit property is situated at Mouza – Salva, Tah. – Mouda, Dist. - Nagpur. He further submitted that the suit property does not come within the territorial jurisdiction of this court as the court of Civil Judge Junior Division, Mouda is having jurisdiction over the suit property. Therefore, he has prayed for allowing his application thereby dismissing the suit for want of territorial jurisdiction on the suit property.

4] On the other hand, the Ld. Advocate Shri. S. S. Adhau for the plaintiffs vide his reply submitted that as per the notification of

Government of Maharashtra village Salva comes under the purview of the territorial jurisdiction of this court. In support of his contentions, he placed on record the copy of notification of the Government of Maharashtra below list of document Exh. 25. Therefore, he prayed for rejection of the application.

5] Perused the record, say of the Ld. Advocate for the plaintiffs, report of the Assistant Superintendent of Kamptee and document filed by the plaintiffs. It seems that previously the village Salva was under the territorial jurisdiction of Civil Judge Junior Division, Mouda. As per the notification issued by the Government of Maharashtra seven villages i.e. Narsala, Singori (Bori), Gangner, Hiwara, Yesamba, Salwa and Khopadi coming under the territorial jurisdiction of Civil Judge Junior Division, Mouda are now falling under the territorial jurisdiction of Kamptee. Therefore, it is clear that the village Salva comes under the territorial jurisdiction of Kamptee. Hence, this application being devoid of merit is liable to be rejected. Hence, I proceed to pass the following order.

**ORDER**

- i) The application (Exh.12) is hereby rejected.
- iii) Costs in cause.

Kamptee  
Date : 22/03/2018.

(Smt. S. A. Patil)  
Jt. CJJD, Kamptee.