

CIVIL MISC. APPLICATION NO. 478/2026

1.Suman Babu @ Balu Mohite + 1 .. .Applicants.

Vs.

1. Smt. Kalpana Babu Mohite+ 2 ... Opponents.

ORDER BELOW EXH. 01

(Dated 14th August 2026)

This application is filed by the applicants under Sec. 24 of the C.P.C. seeking transfer of Civil Misc. Application No. 419/2020 pending on the file of C.J.S.D. & Addl. C.J.M., Pune and Civil M.A. No. 567/2020 pending on the file of Jt. C.J.S.D. & Addl. C.J.M., Pune to any one Court so that both applications may be heard and decided together.

02. It is the submission of the applicants is that they have filed Civil M.A. No. 419/2020 for obtaining heirship certificate being legal heirs of deceased Balu @ Babu Laxman Mohite. Similarly, the opponents have also filed Civil M.A. No. 567/2020 for obtaining heirship certificate and same is pending before Civil Court, Pune. The subject matter involved in both the proceedings is the same, but two proceedings have been instituted before different Courts. It is, therefore, prayed that both the proceedings be transferred and tried by one and the same Court.

03. Opponents filed pursis (Exh.10) and given 'no objection' to transfer both the proceedings in one Court.

04. Heard learned Advocate Shri. M. V. Narhare for the applicants and Shri. Ohol for the opponents.

05. The learned Advocate for the applicants submitted that the parties and the subject matter involved in both the proceedings are identical, and there is no dispute to that effect. If the two proceedings are tried before different Courts, there is a possibility of different findings being recorded on the same issue. If both the proceedings are transferred to and tried by the same Court, no prejudice or harm would going to cause to the either side. In view of the above circumstances, the present application deserves to be allowed. Hence the order:-

ORDER

01. Application is allowed.
02. Civil M. A. No. 567/2020 pending on the file of Jt. C.J.S.D, & Addl. C.J.M. Pune (Shri. V. I. Bhandari) is hereby withdrawn and transferred to the Court of C.J.S.D & Addl. C.J.M. Pune, (Smt. K. P. Jain-Desarda) where Civil M. A. No. 419/2020 is pending, for their disposal in accordance with law.
03. The matters to be decided on their own merit.
04. The registry/ Office shall take necessary steps.
05. Application stands disposed of.

Pune.
Date:-14.08.2026.

(**Arvind T. Wankhede**)
Principal District Judge,
Pune.