

ORDER BELOW EXH. 01 IN CIVIL M.A. NO. 1394/2025

This application is filed by the applicant U/s. 24 of the C.P.C. for transfer of Special Civil Suit No. 1032/2026 (Old Special Civil Suit No. 1089/2022) pending before Civil Judge Senior Division, Pimpri to the Court of 7th Jt. CJSD, Pune where Special Civil Suit No. 1376/2022 is pending.

02. It is submitted that the Civil Suit No. 1089/2022 (Old) was earlier pending before the court of 15th Jt. CJSD, Pune. However, though there is no jurisdiction, subsequently got transferred to CJSD, Pimpri-Chinchwad and renumbered as Special Civil Suit No. 1032/2026. Another Civil suit No. 1376/2022 is filed by the applicant against the respondent, which is now pending in the Court of 7th Jt. CJSD, Pune. Both the suits are filed to recover the amount paid by the plaintiff towards the purchase of non judicial stamp papers to the defendant. Both the suits arose out of an identical arrangement basis the letter of intent, subject matter of both the suits are identical and common reliefs are claimed against the defendant. It is submitted that if both the suits are adjudicated separately, may lead to conflicting judgments. Hence, prayed to allow the application.

03. The respondent has strongly opposed the application and contended that the application is filed with an malafide intention and ulterior motive. Defendant is not responsible to repay the amount as claimed by the plaintiff. The application is contrary to law. Hence, urged to reject the application.

04. Heard learned Advocate Shri. A.N. Halde for the applicant and Shri S.S. Pise for the opponent.

05. At the time of filing of present application, the Special Civil Suit No. 1089/2022 was pending in the court of 15th Jt. CJSD, Pune. It seems that only because the address of the plaintiff Bajaj Finance Ltd. is shown as Akurdi, Pune, which falls within the jurisdiction of Pimpri-Chinchwad, the Civil Suit transferred to the Court of CJSD, Pimpri-Chinchwad. In fact, on perusal of the plaint, nowhere the address of the said company is shown as Akurdi, Pune in title clause. On the contrary, it is shown as Vimannagar, Pune. The other suit bearing Special Civil Suit No.1376/2022 filed by the Bajaj Housing Finance Ltd. is pending before the 7th Jt. CJSD, Pune. Both suits are filed against stamp vendor i.e. respondent / defendant for refund of the amount paid by the plaintiff towards purchase of non judicial stamp papers. Thus, the subject matters of both the suit is same. The reliefs claimed are common. As such, it is just and proper to transfer the Special Civil Suit No. 1032/2026 (Old Special Civil Suit No. 1089/2022) pending before Civil Judge Senior Division, Pimpri to the court where Special Civil Suit No. 1376/2022 is pending. Hence, order:-

ORDER

- 01.** Application is allowed.
- 02.** Special Civil Suit No. 1032/2026 pending on the file of Civil Judge Senior Division, Pimpri-Chinchwad, Pune (Shri. P. S. Kulkarni) is hereby withdrawn and transferred to the Court of 7th Jt. CJSD, Pune (Shri. S. N. Phad) where Special Civil Suit No. 1376/2022 is pending, for its disposal in accordance with the law.
- 03.** The trial court to decide both the suits on their own merit.
- 04.** The registry/ Office shall take necessary steps.
Application stands disposed of.

Pune.

(**Arvind T. Wankhede**)

Date : 10/07/2026

Principal District Judge, Pune.

