

**IN THE COURT OF PRINCIPAL DISTRICT JUDGE, SOLAPUR****Civil Miscellaneous Application No. 264/2025****(CNR No. MHSO01-002953-2025)**

Shripad Diliprao Valupante

V/s.

Anant @ Anantrao Govind Deshmukh and others

**ORDER BELOW EXH. 1**

(Delivered on this 25th day of March, 2026)

1. Heard the applicant in person. Perused written notes of arguments filed by him on record. Also, heard learned advocate for the non applicants.

2. This is an application under section 24 of the Code of Civil Procedure for transfer of Regular Civil Suit No. 579/2024 pending on the file of 3<sup>rd</sup> Joint Civil Judge Junior Division and Judicial Magistrate First Class at Barshi on the ground that, learned trial court is biased and prejudiced with him.

3. The applicant has cited various incidents in the application including various orders claimed to have been passed by the learned trial court and mentioned in the rozanama. He claimed that, suit was filed on 04/09/2024 and on 21/09/2024, this applicant filed an application for taking the case on board and demanded status-quo order in the same. Said application was allowed and matter was fixed for 25/09/2024 and an order of status-quo for three days was passed against non applicants No.1 to 3. However, on 25/09/2024, matter was referred for mediation and at mediation center, next day was given 5/10/2024. However, before that, on 03/10/2024, defendants No.1 to 3 i.e., non applicants

No.1 to 3 took the case on board and filed an application below Exh. 22 seeking injunction against this applicant. He reproduced the contents of rozanama dated 03/10/2024 and it was mentioned in the rozanama that, below Exh.4 there is a report of mediation center regarding compromise of the case and claimed that, when matter was fixed for 05/10/2024 before mediation center, then how, report of mediation center came to be filed on record on 03/10/2024.

4. The allegations of such nature have been leveled in the application against the Presiding Officer of the learned trial court. It is also claimed that, from the dais, learned trial court, from time to time, told this applicant or his advocate that, they are having a weak case and they should compromise and settle the dispute and by claiming that, he has apprehension that, he may not get justice in the said court prayed to transfer the same.

5. Non applicants No.1 to 3 appeared and filed reply below Exh.11 and denied all the allegations so made by this applicant and claimed that, this applicant is indulged in mischievous activities and continuously filing complaints and also though not having any locus standi, he engages himself in stopping the construction work of other persons and prayed to reject the application.

6. In so far as allegations so leveled by this applicant against learned trial court are concerned, in support of claim so made by him, he has filed certified copy of various documents including order-sheet of the learned trial court. It is claimed by the applicant that, on 21/09/2024, he has filed an application for taking the case on board and filed an

application for stay and the same was taken on record and non applicants No.1 to 3 were directed to maintain the status-quo for three days and then, matter was posted on 25/09/2024. The certified copy of the rozanama is filed on record by the applicant himself, wherein, there is no mention of any transaction of 21/09/2024. The rozanama reflects that, after 05/09/2024, matter was posted on 10/09/2024. After 05/09/2024, directly there is rozanama of 25/09/2024, which only speaks that, defendant in the suit, filed a pursis for staying the interim order and to grant permission to carry out construction work. However, no rozanama of granting of any status-quo as claimed by the applicant is produced.

7. Further more, the rozanama dated 30/09/2024 shows that, matter was referred for mediation and next date was given as 03/10/2024. In the rozanama dated 03/10/2024, there is no whisper about filing of report of mediation center showing arrival of parties on amicable settlement. However, in the application, the applicant has mentioned that, in the said rozanama it is mentioned that, report regarding compromise of the matter is filed on record. There is no rozanama of 05/10/2024, but, the matter was posted on 21/10/2024, which apparently shows that, claim so made by the applicant is absolutely incorrect, as nothing is mentioned in the rozanama dated 03/10/2024 regarding filing of report of mediation showing matter has been settled amicably.

8. In the same way, in so far as several other allegations regarding learned Presiding Officer of the learned trial court asking this applicant to settle the dispute from the dais are concerned, if current

trend is considered, then, it is apparent that, if any element of compromise is noted by any court, then, such court is under obligation to see that, matter gets settled amicably through process of mediation and if at all, learned trial court may have suggested or asked this applicant to settle dispute amicably, then, in fact, learned trial court has discharged the obligation so imposed on it and same do not show that, learned trial court is biased or prejudiced with this applicant. Thus, there is no substance in the application and allegations made by the applicant against the learned trial court appear to be baseless and without any substance.

9. In view of the same, on such grounds, the matter can not be transferred from the file of learned trial court and being devoid of merits, application deserves to be rejected. Hence, following order is passed.

### **ORDER**

1. Civil M.A. No. 264/2025 is rejected.
2. Civil M.A.No.264/2025 stands disposed of accordingly.

Date : 25/03/2026

(Manoj S. Sharma)  
Principal District Judge, Solapur

**CERTIFICATE**

I affirm that, the contents of this PDF file order are same word to word, as per the original order.

Name of the Court : Principal District & Sessions Court,  
Solapur.

Name of Stenographer : Parashuram N. Kanaki.

Order signed by the  
Presiding Officer on : 25/03/2026

Order uploaded on : 04/04/2026