

IN THE COURT OF PRINCIPAL DISTRICT JUDGE, PUNE.
CIVIL MISC. APPLICATION NO. 449/2019
(CNR-MHPU01- 005765-2019)

<i>Goel Ganga Construction</i>	.. <i>Applicant</i>
Vs.	
<i>Pune Municipal Corporation</i>	.. <i>Opponent</i>

ORDER BELOW EXH. 1

This application under Section 24 of the Code of Civil Procedure is filed by the plaintiff in R.C.S. No. 1419 of 2014 and Special Civil Suit No. 1483 of 2014 for making over these two suits to one Court on the ground that they are between the same parties and arise out of the same transaction.

(2) Respondent Pune Municipal Corporation has filed say contending that issues involved in the matters are different as well as the reliefs claimed are different.

(3) However, if we consider the dispute in both the suits, it arises out of a tender proceeding. In the first suit, plaintiff has prayed for injunction, not to appoint any other agency, whereas, in the second suit, plaintiff has claimed compensation for breach.

(4) In such circumstances, I deem it to be in the fitness of things that two suits are tried before the same Court. Whether to club the suits for adjudication would be

the discretion of the concerned Court. In such circumstances,
I pass the following order :-

ORDER

- (a) Application is allowed.
- (b) Reg. Civil Suit No. 1419 of 2014 pending in the Court of Pune Municipal Corporation Court, Pune, is transferred to the Court of 5th Jt. Civil Judge Sr. Division, Pune (Shri. V. M. Karhadkar) where Special Civil Suit No.1483 of 2014, is pending.
- (c) Application is accordingly disposed of.

Place - Pune

(S. B. Agrawal)

Date - 30.04.2019

Principal District Judge, Pune.

I affirm that the contents of this P.D.F.,file judgment are same word for word as per original Judgment.

Name of Steno	: A. G. Tawale, Stenographer (Grade-1)
Court Name	: Shri. S. B. Agrawal, Principal District Judge, Pune.
Date	: 30.04.2019
Judgment signed by P.O. on	: 30.04.2019
Judgment uploaded on	: 30.04.2019

