

Ganesh Vasudeo Sinkar	...	Applicant
Vs.		
Suvarna Ganesh Sinkar	...	Respondent

Mr. Anand Kulkarni i/b. Mr. Sachin S. Punde for Applicant.
Mr. Rahul S. Kadam for Respondent.

CORAM : R. G. KETKAR, J.
DATE : MAY 8, 2015

P.C. :

Not on Board, at the joint request of the learned Counsel for the parties, taken up in the production Board.

2. Heard Mr. Kulkarni, learned Counsel for applicant and Mr. Kadam, learned Counsel for respondent.

3. By this Application under Section 24 of the Code of Civil Procedure, 1908, the applicant-husband has prayed for transfer of proceedings i.e. P.A.No.245 of 2011 filed by the applicant for restitution of conjugal rights and P.D.No.73 of 2011 for grant of custody of the children and P.A.No.421 of 2012 filed by the respondent for decree of divorce pending in the Family Court No.3, Pune presided over by Hon'ble Ms S. S. Sawant to the file of any other Judge of the Family Court at Pune.

4. Mr. Kadam states that in the application, the applicant has made serious allegations against the learned Presiding Officer. He is agreeable to transfer the proceedings subject to applicant withdrawing all those allegations unconditionally. He further states that the trial Court may be directed to dispose of the proceedings in a time-bound manner and for that parties will jointly make application before the learned trial Court. The

learned trial Judge may be directed to pass appropriate order on that application.

5. Mr. Kulkarni states that applicant will delete all the allegations made in the application against the Presiding Officer. He seeks leave to delete those allegations.

6. In view thereof, leave to delete the allegations against the Presiding Officer is granted. By consent of the parties, Miscellaneous Civil Application is allowed in terms of prayer clause (A) with no order as to costs. The learned Principal Judge of the Family Court will assign the proceedings to the Court other than the Court presided over by Hon'ble Ms S. S. Sawant. Parties are at liberty to apply to the trial Court for disposal of the proceedings in a time-bound manner. In case such application is taken out, having regard to the fact that the proceedings initiated by the parties are of matrimonial nature, the learned trial Judge will pass appropriate orders thereon. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab