

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION

MISC. CIVIL APPLICATION NO.219/2013

Vaishali Bharat Sakpale

...Applicant

V/s.

Bharat Jayram Sakpale

...Respondent

Ms. Krupali H. Rajani for the Applicant.

None for the Respondent.

CORAM: K.K. TATED, J.

DATED : OCTOBER 8, 2015

PC. :

1. Heard the learned counsel for the Applicant. None for the Respondent though duly served.
2. Leave to amend. Amendment to be carried out during the course of the day.
3. This Application is filed by wife under section 24 of the Code of Civil Procedure, 1908 for transfer of divorce petition No.MP 150/2013 filed by the Respondent husband under section 13(1)(ia) and (ib) of the Hindu Marriage Act, 1955 in the court of Civil Judge, Senior Division, Vasai to the Family Court at Bandra, Mumbai.
4. The Applicant has also made prayer clause a1 for expeditious hearing of the divorce petition.

5. Considering the fact that the Applicant is residing at Kandivli and she is working and the distance between the Kandivli to Vasai is not more than 35 km., I am of the opinion that the Applicant has not made out a case for transfer of the matter from Vasai to Bandra. However, considering the facts and circumstances of the present case, I am of the opinion that the Applicant has made out a case for allowing the Misc. Civil Application in terms of prayer clause a1.

6. Hence, the following order is passed:

- a. Misc. Civil Application is partly allowed.
- b. Hearing of the divorce petition No.MP -150/2013 filed by the Respondent husband under section 13(1)(ia)(ib) of the Hindu Marriage Act, 1955 is expedited.
- c. This court expects that the learned Civil Judge, Senior Division, Vasai would dispose of the divorce petition as early as possible but in any case within 6 months from the date of receipt of a copy of this order.
- d. Prayer clause (a) of the Misc. Civil Application for transfer of divorce petition from Vasai to Family Court, Bandra stands rejected.
- e. Parties to act on a copy of this order duly authenticated by the Sheristedar of this court.

(K.K. TATED, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed order.