

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1242 OF 2016

Aneesha S. Dutt .. Petitioner
vs.
Ashu K. Dutt .. Respondent

Mr. S.C. Naidu a/w. Akash Rebellow a/w. Ushajee Peri i/b Mahesh Menon and Co. for the Petitioner.
Ms T.F. Irani for the Respondent.

CORAM : M. S. SONAK, J.
DATE : 5 FEBRUARY 2016.

P.C. :-

1] Rule. With the consent of and at the request of learned counsel for the parties, Rule is made returnable forthwith.

2] The challenge in this petition is to the order dated 6 January 2016 made by the Principal Judge, Family Court transferring the proceeding from the Presiding Officer in Court Room No.6 to Court Room No.5.

3] The transfer of proceedings from Presiding Officer in Court Room No.6 is quite correct, since even earlier, the proceedings had been transferred from this Presiding Officer. However, no litigant can seek for a transfer to some particular Court. In this case, if the

application made by the Respondent is perused, it is not as if, the Respondent had insisted upon transfer to any particular court.

4] In these circumstances, it will be only appropriate that the proceedings are transferred to the Presiding Officer in Court Room No. 7, so that, there is no scope for either of the parties to complain about such matter.

5] Accordingly, the impugned order is modified. The proceedings are transferred to the Presiding Officer in Court Room No.7. The Presiding Officer is directed to dispose of the proceedings as expeditiously as possible.

6] Rule is disposed of in the aforesaid terms. There shall, however, be no order as to costs.

7] All concerned to act on the basis of authenticated copy of this order.

(M. S. SONAK, J.)