

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 960 OF 2015

Anandrao D. Chavan	..	Petitioner
VS.		
Suvarna A. Chavan	..	Respondent

None for Petitioner.
None for Respondent.

CORAM : M. S. SONAK, J.
DATE : 19 AUGUST 2016

P.C :

- 1] None for the petitioner.
- 2] However, upon perusal of the impugned order and the records, I am satisfied that this writ petition is not required to be entertained.
- 3] The challenge in this petition is to the order dated 20 March 2014, by which the Family Court at Kolhapur has rejected the petitioner's application for return of the plaint, since the petitioner objects to the territorial jurisdiction of the Kolhapur Court to entertain the petition.
- 4] If the impugned order is perused, it is quite clear that the same suffers from no jurisdictional error. In this case, the record

indicates that the marriage between the parties was solemnized within the territorial jurisdiction of the court. Further, there is also record that the respondent wife was residing in Kolhapur on the date of the presentation of the petition. These are sufficient reasons to hold that Kolhapur Court indeed had jurisdiction to entertain the petition.

5] The objection to territorial jurisdiction can be raised at any stage of the proceedings as observed in the impugned order. However, in the present case, it is to be noted that the objection was raised at a fairly advanced stage of the proceedings. In these circumstances, it cannot be ruled out that objection of territorial jurisdiction was raised merely with a view to prolong the final disposal of the petition.

6] For the aforesaid reasons, the present petition is dismissed. The registry to forward authenticated copy of this order to the Judge, Family Court at Kolhapur taking up petition no. C 19/2013 within a period of two weeks from today.

(M. S. SONAK, J.)