

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****MISC.CIVIL APPLICATION NO.25 OF 2016****Mrs.Pushpalata Devidas Patil****..... Applicant****VERSUS****Devidas Bhaurao Patil****..... Respondent**

Mr.Amit Karva for the Applicant.

Mr.Balraj Kulkarni, a/w. Mr.Sachin Kanse, i/b. Ms.Shilpa Kurhade for the Respondent.

CORAM : R.D. DHANUKA, J.**DATE : 24th AUGUST, 2016****P.C.**

Learned counsel appearing for the applicant states that the Marriage Petition bearing No.162 of 2015 which was pending before the Civil Judge (Senior Division) Thane is already disposed of. The applicant has filed an appeal against the order passed by the Civil Judge Senior Division in the said marriage petition before the appropriate court. In view of the disposal of the Marriage Petition No.162 of 2015, this application for transfer of the said marriage petition has become infructuous. Petition is disposed of in the aforesaid terms. No order as to costs.

2. It is however made clear that if the appeal filed by the applicant before the appellate court is allowed and if the Marriage Petition No.162 of 2015 is restored to file, the applicant would be at liberty to file application for transfer of the said proceedings under section 24 of the Code of Civil Procedure, 1908. No order as to costs.

[R.D. DHANUKA, J.]