

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO. 122 OF 2017

Kalpesh Pandurang Thepane ... Applicant

Versus

Archana Kalpesh Thepane ... Respondent

Mr. Swapnil Walve for the Applicant.

Mr. Kamlesh Mali i/b. Mr. A.R. Kapadnis for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 6TH SEPTEMBER, 2017

P.C.:

1. Heard the learned Advocates appearing for the parties and the following order is passed by consent :

i. The Hindu Marriage Petition No. 249 of 2016 filed by the Applicant husband before the Court of Civil Judge, Senior Division, Nashik is transferred to the Court of Civil Judge, Senior Division, Malegaon, Dist. Nashik and directed to be heard along with Hindu Marriage Petition No. 452 of 2016 filed by the Respondent wife seeking restitution of conjugal right and maintenance.

ii. The Court of Civil Judge, Senior Division, Malegaon, Dist. Nashik shall allow the Applicant husband to represent himself in the proceedings and conduct the same through video-conferencing facility.

iii. Since the Applicant is working at Palghar, the Court of Additional District and Sessions Judge, Palghar shall allow the Applicant husband to use the video-

conferencing facility available in the said Court.

- iv. If the Civil Judge, Senior Division, Malegaon, Dist. Nashik is not equipped to conduct the matter through Video Conferencing, the Respondent and / or her Advocate shall provide a laptop along with Wi-Fi and other equipments to conduct the matter / trial through Video Conferencing.
- v. The Applicant shall appear before the Civil Judge, Senior Division, Malegaon, Nashik only when the Civil Judge, Senior Division, Malegaon, Nashik feels that his presence is required before the Court.
- vi. The Applicant shall be at liberty to affirm, verify his pleadings / Affidavits before the Additional District and Sessions Judge, Palghar and forward the same to the Civil Judge, Senior Division, Malegaon, Nashik, which the Civil Judge, Senior Division, Malegaon, Nashik shall accept.
- vii. Since the proceedings shall be conducted through Video Conferencing, the Civil Judge, Senior Division, Malegaon, Nashik shall fix the hearing of the matter at the time specified in advance.
- viii. The Civil Judge, Senior Division, Malegaon, Nashik shall endeavour to dispose of Marriage Petition No. Marriage Petition No. 249 of 2016 along with Hindu Marriage Petition No. 452 of 2016 within a period of six months from the date of this order.
- ix. The Civil Judge, Senior Division, Malegaon, Nashik shall not grant any adjournment to the parties unless absolutely necessary. The parties too shall not seek

any adjournment unless absolutely necessary.

- x. All contentions of the parties are kept open.
- 2. The above Misc. Civil Application is accordingly disposed off.

(S.J.KATHAWALLA, J.)