

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**MISCELLANEOUS CIVIL APPLICATION NO.65 OF 2017
WITH
MISCELLANEOUS CIVIL APPLICATION NO.66 OF 2017**

Sharmishtha Sarkar	...	Applicant
Versus		
Subhajit Sarkar	...	Respondent

Ms. Jai Vaidya for the Applicant.
Ms. Madhura Kalamkar a/w Mr. Kiran S. Mohite for the Respondent.

CORAM : S.C.GUPTE, J.

DATE : 15 MARCH 2017

P.C. :

1. These two miscellaneous civil applications seek transfer of two proceedings, namely, Marriage Petition No.217 of 2015 filed by the Respondent for Restitution of Conjugal Rights and Marriage Petition No. 26 of 2016 filed by the Applicant for divorce, both of which have been pending before the Court of Civil Judge, Senior Division, Panvel to the Family Court at Bandra,Mumbai. The applications are on the footing that the Applicant, who was earlier residing at Panvel, has now shifted to Mumbai alongwith her aged father and 3½ year old son.

2. Learned Counsel for the Respondent has no objection to the proceedings being transferred to the Family Court at Bandra, Mumbai. She, however, submits that she disputes the averments made in both the applications.

3. It is made clear that this Court has not applied its mind to the particular averments in the application. On concession made by the Respondent, both the matrimonial proceedings are being directed to be transferred to Mumbai.

4. Accordingly, the misc.civil applications are allowed in terms of prayer clause-(b) thereof.

(S.C. GUPTE, J.)