

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO.107 OF 2016

Mrs. Rushali Vishal Prabhudesai

...Applicant

versus

Dr. Vishal Suresh Prabhudesai

...Respondent

Mr. Satish Sharma for the Applicant.

Mr. Sanjeev Punalekar, along with Sachin Kanse, instructed by M/s. PRS Legal, for the Respondent.

Both the Applicant and Respondent are present.

CORAM: S.J. KATHAWALLA, J.

DATE: 28th AUGUST, 2017

P.C.:

1. By the above Misc. Civil Application filed under Section 24 of the Code of Civil Procedure, 1908, the Applicant wife seeks transfer of Matrimonial Civil Suit No. 02/2016/A filed by the Respondent husband seeking dissolution of marriage and pending before the Civil Judge, Senior Division, Quepem, Goa, to the Family Court at Bandra, Mumbai.

2. Both the parties are educated and since both are of the view that they will be inconvenienced if they are required to travel, the following order is passed by consent :

(i) The proceedings filed by the Respondent being Matrimonial Civil Suit No. 02/2016/A pending before the Civil Judge, Senior Division, Quepem, Goa, shall

be proceeded with through video-conferencing. In the event of any difficulty, the Respondent undertakes to provide to the Court of Civil Judge, Senior Division, Quepem, Goa, a laptop, WIFI and other equipments necessary to conduct the proceedings through video conferencing.

(ii) The Family Court at Bandra, Mumbai, shall allow the Applicant to affirm/verify the pleadings/affidavits which she is required to forward to the Civil Judge, Senior Division at Quepem, Goa, in Matrimonial Civil Suit No. 02/2016/A and the Civil Judge, Senior Division at Quepem, Goa shall accept the pleadings/affidavits affirmed/verified by the Applicant before the Family Court at Bandra, Mumbai.

(iii) The Family Court at Bandra, Mumbai, shall allow the Applicant and her Advocate to use the video-conferencing facility installed in the Family Court at Bandra, Mumbai, to enable her to participate in the proceedings in Matrimonial Civil Suit No. 02/2016/A filed by the Respondent husband and pending before the Civil Judge, Senior Division, Quepem, Goa.

(iv) The Civil Judge, Senior Division at Quepem, Goa, shall not grant any adjournment to the parties unless absolutely necessary. The parties too shall not seek any adjournment unless absolutely necessary.

(v) The Civil Judge, Senior Division at Quepem, Goa, shall endeavour to dispose off Matrimonial Civil Suit No. 02/2016/A within a period of six months

from the date of this order.

(vi) Since the proceedings shall be conducted through video-conferencing, the Civil Judge, Senior Division, Quepem, Goa, shall fix the hearing of the matter at the time specified in advance.

(vii) All contentions of the parties are kept open.

3 . The above Misc. Civil Application is accordingly disposed off.

(S.J.KATHAWALLA, J.)