

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

MISC.CIVIL APPLICATION NO. 153 OF 2016

Smt.Jyoti Sandesh Patil	...Applicant
vs.	
Shri Sandesh B. Patil	...Respondent

Ms.Yashashri Y. Naik for Applicant.
Mr.Satish K. Kumbhar for Respondent.

CORAM : S.C. GUPTE, J.

1 FEBRUARY 2017

P.C.:

Heard learned Counsel for the parties.

2 This MCA seeks transfer of a marriage petition, namely, M.P. No.400/2015, from the Court of Civil Judge, Senior Division, Thane to the Family Court at Bandra. The Applicant's petition, namely, M.J Petition No.A-748/2016 for divorce is pending before the Family Court at Bandra. There is also a domestic violence case under Sections 18, 19 and 20 of the Domestic Violence Act, 1958 filed by the Applicant herein against the Respondent, which is pending before the Metropolitan Magistrate at Borivali. It is in the interests of justice that both the petitions, one filed by the Applicant and one by the Respondent, be heard by the same court. Considering the facts the Applicant and the Respondent are residents, respectively, of Dahisar and Mira Road and that the Applicant is a cancer patient, it is in the interests of justice that it is the Family Court at Bandra rather than the court at Thane which should hear the petitions.

3 Accordingly, the MCA is allowed in terms of prayer clauses
(A) and (B).

(S.C. GUPTE, J.)