

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

MISC. CIVIL APPLICATION NO.234 OF 2016

Vijayshri Rajesh Gaikwad	...	Applicant
versus		
Rajesh Mahadeo Gaikwad	...	Respondent

Ms. Rekha Musale i/by Mr. Nitin Rajguru, for Applicant.
Mr. Ujwal Agandsurve, for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 22nd SEPTEMBER, 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 Civil Application No.14 of 2015 for restoration of Marriage Petition No.124 of 2014 and Marriage Petition No.124 of 2014 filed by the Respondent and pending before the Family Court at Solapur to the Civil Judge, Senior Division at Barshi. Since the Civil Application No.14 of 2015 seeking restoration of Marriage Petition No.124 of 2014 is already allowed by the Family Court at Solapur, the Applicant now seeks transfer of Marriage Petition No.124 of 2014 as prayed.

2. By consent the following order is passed :

(i) Marriage Petition No.124 of 2014 pending before the Family Court at Solapur stands transferred to the Civil Judge, Senior Division at Barshi.

(ii) The Civil Judge, Senior Division at Barshi shall allow the Respondent

husband to conduct the proceedings through video-conferencing.

(iii) The District Court/Family Court at Pune shall allow the Respondent to use the video-conferencing facility.

(iv) The Respondent shall appear before the Civil Judge, Senior Division at Barshi only when the Civil Judge, Senior Division, Barshi feels that his presence is required before the Court.

(v) The Respondent shall be at liberty to affirm, verify his pleadings/affidavits before the District Court/Family Court at Pune and forward the same to the Civil Judge, Senior Division at Barshi which the Civil Judge, Senior Division at Barshi shall accept.

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

(vii) The Civil Judge, Senior Division at Barshi shall endeavour to dispose off Marriage Petition No.124 of 2014 within a period of six months from the date of this order.

(viii) The Civil Judge, Senior Division at Barshi shall not grant adjournment/s to the parties unless absolutely necessary. The parties too shall not seek any adjournment/s unless absolutely necessary.

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

(x) The above Misc. Civil Application is accordingly disposed off.

(S.J.KATHAWALLA,J.)