

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****MISCELLANEOUS CIVIL APPLICATION (ST.) NO. 21663 OF 2016**

Gayatri Sujit Kale

...Applicant

Vs.

Sujit Vishwanath Kale

....Respondent

*Ms. Rukmini Khairnar for the Applicant.**Mr. Mehul Shah for the Respondent.***CORAM: S. J. KATHAWALLA, J.****DATE: 29th September, 2017****P.C.:**

1. By the above Miscellaneous Civil Application filed under Section 24 of the Code of Civil Procedure, 1908, the Applicant-wife seeks transfer of Petition No. A 135 of 2015 filed by the Respondent-husband for dissolution of marriage and pending before the Family Court at Pune to the Family Court at Nashik.

2. The parties have in their pleadings made serious allegations against each other. However, after hearing the Advocates appearing for the parties for quite some time taking into consideration the fact that both the parties are well educated, the following order is passed by consent:

- (i) The Family Court at Pune shall continue to hear the Petition filed by the Respondent Husband being No. A-135 of 2015 seeking dissolution of

marriage between the Applicant and the Respondent.

- (ii) The Applicant shall not be required to attend the Family Court at Pune to defend the proceedings and she will defend the said Petition by appearing through video conferencing.
- (iii) The Applicant shall also be at liberty to affirm and verify her pleadings before the Family Court at Bandra and/or the Family Court at Nasik and forward the same to the Family Court at Pune which pleadings shall be accepted by the Family Court at Pune.
- (iv) If the Family Court at Pune is of the view that on a particular day the personal presence of the Applicant is required for a particular purpose, the Applicant shall attend the Family Court at Pune on that particular day.
- (v) The Family Court at Pune shall not grant adjournments to either side unless absolutely necessary.
- (vi) The Family Court, Pune shall endeavour to dispose of Divorce Petition No. A-135 of 2015 within a period of nine months from the date of this order.
- (vii) The Family Court, Pune shall fix the dates of hearing in advance since the Applicant shall be appearing before the Family Court, Pune through video conferencing. This order shall not preclude the Applicant from appearing

before the Family Court, Pune in person on any date fixed for hearing, if she so desires.

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

The above Misc. Civil Application is accordingly disposed off.

(S.J. KATHAWALLA, J.)