

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION (ST) NO. 25096 OF 2017

Mrs. Varsha Avinash Madane ... Applicant

Versus

Mr. Avinash Kumar Madane ... Respondent

Mr. Umesh Pawar for the Applicant.

Mr. Nilesh Wable alongwith Mr. Abhay Jadhavar i/by Mr. Sachin Hande for the Respondent.

Respondent is present in Court.

CORAM : S.J. KATHAWALLA, J.

DATED : 25th SEPTEMEBR, 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 Hindu Marriage Petition No. 93 of 2016 filed by the Respondent-husband pending before the Court of Civil Judge, Senior Division, Kalyan to the District Court, Islampur.

2. The Learned Advocate appearing for the Respondent on instructions from the Respondent who is present in Court states that the Respondent has no objection if the above Miscellaneous Civil Application is allowed. In view thereof, the following order is passed :-

(a) The Hindu Marriage Petition being No. 93 of 2016 filed by the Respondent-husband is directed to be transferred from the Court of Civil Judge, Senior Division, Kalyan to the District Court, Islampur.

(b) The Registrar, Court of Civil Judge, Senior Division, Kalyan shall ensure that

the papers and proceedings of Hindu Marriage Petition No.93 of 2016 reaches the District Court, Islampur, on or before 10th October, 2017.

(c) The parties and/or their Advocates shall appear before the District Court, Islampur on 12th October, 2017 at 11.00 a.m. and obtain appropriate orders.

(d) The District Court, Islampur shall endeavour to dispose off the Hindu Marriage Petition No. 93 of 2016 within a period of six months from the date of this Order.

(e) The District Court, Islampur shall try and fix the hearing of the Hindu Marriage Petition No.93 of 2016 on the dates when the Respondent is required to attend the Court of Judicial Magistrate, First Class-1, Islampur in the case being Miscellaneous Criminal Complaint No.157 of 2016 filed by the Applicant-wife against the Respondent-husband under the Protection of Women From Domestic Violence Act, 2005.

(f) The parties shall not seek adjournment/s unless absolutely necessary. The District Court, Islampur shall also not grant adjournment/s to either side unless absolutely necessary.

(g) The parties as well as the Court of Civil Judge, Senior Division, Kalyan and the District Court, Islampur to act on an authenticated copy of this Order.

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

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

(S.J.KATHAWALLA, J.)