

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****MISCELLANEOUS CIVIL APPLICATION NO.284 OF 2016**

Mahesh Subhanrao Kalge ...Applicant
vs.
Tejashree Mahesh Kalge And Anr. ...Respondents
....
Mr. Lokesh Zade, for the Applicant.
Mr. Chetan G. Patil, for Respondent No.1.

....
CORAM : S.C. GUPTE, J.

DATED : 22 MARCH 2017

P.C. :

. This Miscellaneous Civil Application seeks transfer of proceedings referred to in the prayer clauses. The proceedings are Petition 'C' No.41 of 2013 for maintenance by the Respondent wife, Darkhast No.5 of 2015 by her for enforcing of the order of maintenance passed in that petition, a Divorce Petition filed by the Respondent wife being Marriage Petition No.A-63 of 2015, and a custody petition by the Applicant husband, being Petition "D" No.10 of 2015. All these petitions are pending before the Family Court at Kolhapur. After the matter has been heard at some length, it is agreed between the parties that all these petitions may be expeditiously disposed of by Family Court at Kolhapur. It is also agreed between the parties that, considering the working of the Applicant husband and the interim access order passed by the Family Court at Kolhapur, the hearings of the pending matters be scheduled on 1st, 3rd and 5th Saturday of the month. Accordingly, the Miscellaneous

Civil Application is disposed of by directing the Family Court at Kolhapur to dispose of all matters as expeditiously as possible and within a period of one year from today. The Court is directed to schedule the hearings as far as possible on 1st, 3rd and 5th Saturday of the month. Learned Counsel for the Applicant husband expressed a reservation on account of his administrative complaint as well as the present Miscellaneous Civil Application, which contains averments about the conduct of the Family Court at Kolhapur. He submits that he does not insist on these allegations but that these should not come in the way of fair determination of the pending matters. It is needless to add that Courts operate for delivering justice to the parties before them and do not stand on their prestige or get perturbed by pleadings of the parties concerning the conduct of the Court. Anyway, since the Applicant husband does not press his allegations, it is expected that the Family Court at Kolhapur shall apply its mind to the pending matters strictly on merits and without being influenced by the statements of the Applicant husband concerning the conduct of the Court both in the administrative complaint and the present miscellaneous civil application.

(S.C. GUPTE, J.)