

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 248 OF 2015

Sou. Amruta Sagar Deokar
Nee Amruta Bhanudas Bagal

...Applicant

vs.

Sagar Vasant Deokar

...Respondent

Mr. Dilip Bodake for the Applicant.

Mr. Ranjeet Patil for the Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 30th JUNE, 2017

P.C.

1. By the above Miscellaneous Civil Application filed on 9th October, 2015, under Section 24 of the Code of Civil Procedure, 1908, the Applicant-wife has sought transfer of H.M.P. No. 116 of 2014 from the Learned Civil Judge, Senior Division, Vaduj, Dist. Satara, to the Family Court, Thane.

2. On 17th April, 2017, this Court (Coram: N.M. Jamdar, J.), inter alia, passed the following Order:

"5. The parties will appear before the learned Civil Judge, Senior Division, Vaduj, District Satara by themselves or through their advocates on 28th April, 2017 wherein the learned Civil Judge will consider, whether in the facts of the present case, any of the options

directed by the Apex Court can be made applicable and pass a suitable order. Stand over to 14th June, 2017 for directions.

2. Since no report was submitted by the Civil Judge, Senior Division, Vaduj, this Court on 13th June, 2017, directed the Court Office to forthwith place the Orders passed by this Court dated 17th April, 2017 and 6th June, 2017 before the Additional District Judge, Vaduj, Satara, and request the Additional District judge, Vaduj to comply with the said Orders by 16th June, 2017 at 11.00 a.m.

3. Today when the matter is called out, the Order passed by the District Judge, Vaduj dated 16th June, 2017, is placed before this Court. The Learned District Judge-1, Vaduj, has considered the Judgment of the Hon'ble Apex Court in the case of *Krishna Veni Nagam vs. Harish Nagam*¹ and after hearing the submissions of the parties, including the submission of the Applicant that she requires Rs. 4,000/- per trip to attend the proceedings before the Court at Vaduj, along with one member of her family on each date, has passed the following Order:

"1. The Petitioner husband shall pay an amount of Rs. 4,000/- per trip to and fro towards costs for travel, lodging and boarding in terms of Order XXV of C.P.C., to the respondent wife and accompanying one person for each date, from the date of this order, during pendency of H.M.P. No. 116 of 2014, before the Ld. C.J.S.D. Vaduj, Dist.

¹ 2017 (3) Bom. C.R. 62

Satara.

2. This order be kept in the H.M.P. proceeding No. 116 of 2014."

4. Since the Learned District Judge has accepted the submission made on behalf of the Applicant and has directed the Respondent to pay an amount of Rs. 4,000/- per trip to the Applicant-wife towards the cost of travel, lodging and boarding, I direct the Respondent to comply with the said Order dated 16th June, 2017, passed by the District Judge-1, Vaduj, and accordingly dispose of the above Application.

(S.J. KATHAWALLA, J.)