

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

MISCELLANEOUS CIVIL APPLICATION (stamp) NO.33245 OF 2018

Abhijit Devram Gawade	...Applicant
Versus	
Mrs. Ketki Abhijit Gawade	...Respondent

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Mr. Abhijit D. Sarwate with Mr. Ajinkya Udane for the Applicant.
Mr. Himanshu Nagarkar for the Respondent.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 20th DECEMBER, 2018.

P.C.:-

By this application filed under Section 24 of the CPC the Applicant has sought transfer of the DV proceedings bearing Cri.M.A. No.3523 of 2015 pending before the learned J.M.F.C., Pune, to the Family Court, No.4, Pune.

2. Heard the learned counsel for the respective parties.
3. The Applicant and the Respondent are husband and wife. Marital discord between the parties has resulted in filing of divorce proceedings, proceedings under Section 125 as well as under DV Act. It is stated that P.A. No.1300 of 2015, PA No.271 of 2015 and P.E.

No.144 of 2017 are pending before the Family Court, Pune, whereas Criminal M.A. No.3523 of 2015 is pending before the learned J.M.F.C., Thane. Since the proceedings bearing Cri.M.A. No.3523 of 2015 is between the same parties and arising from the matrimonial dispute, it is just and proper that the same should be tried alongwith other matters so as to avoid delay and conflicting judgments.

4 Hence, the application is allowed in terms of prayer clause (a). The learned J.M.F.C., Pune is hereby directed to transmit the proceedings in Cri.M.A. No.3523 of 2015 to the Family Court No.4, Pune, by following necessary procedure. The proceedings in Cri.M.A. No.3523 of 2015 pending before the learned J.M.F.C., Pune, is transferred to the Family Court, No.4, Pune. The learned Judge, Family Court No.4 shall endeavour to dispose of the the Cri.M.A. No.3523 of 2015 as far as possible within a period of six months from the date of receipt of copy of this order.

5. All concerned to act on authenticated copy of this order.

(SMT. ANUJA PRABHUDESSAI, J.)