

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

MISCELLANEOUS CIVIL APPLICATION NO. 134 OF 2019

Dr. Brahmanand Ramrao Tale ...Applicant

Versus

Dr. Archana Brahmanand Tale ...Respondent

.....
Ms. S.T.Kazi, Advocate for the Applicant.
.....

CORAM : RAVINDRA V. GHUGE, J.

DATE : 10-07-2019.

PER COURT :

01. The applicant in this case prays for withdrawing petition No. D-21/2017, which is on the file of the learned Principal Judge, Family Court, Aurangabad so as to be shifted to the learned Judge-1, Family Court at Aurangabad.

02. I called upon the learned Advocate to state as to why does the applicant desire to move this proceeding from one Judge to another Judge of the same Court. She submits on instructions from the applicant present in the Court that he has an apprehension about the learned Principal Judge, Family Court, Aurangabad. Reference is

made to an application dated 30.5.2019 filed by the applicant in the Family Court, wherein details about purported physical abuse of his male child by the purported companion of the applicant's wife have been narrated. There is nothing on record to justify as to why the file should be withdrawn from the learned Principal Judge and moved to another Judge of the Family Court at Aurangabad.

03. I find this conduct of the applicant to be an attempt of brow beating the Judge. This also would amount to forum shopping. If such requests are entertained, litigants would embark on forum-shopping spree. This would undermine the confidence of the judiciary.

04. This application is, therefore, dismissed by imposing cost of Rs. 25,000/- on the petitioner and he shall deposit the said amount before the learned Principal Judge, Family Court, Aurangabad on/or before 25.7.2019, either by cheque or demand draft failing which the petition No. D-21/2017 shall be dismissed for default. So also, the petitioner shall tender his personal affidavit to the learned Principal Judge, Family Court, Aurangabad on/or before 25.7.2019 expressing his apology for having attempted to move the file from his Court to another

Court.

05. The learned Principal Judge, Family Court would utilize the said amount exclusively for children complex.

[RAVINDRA V. GHUGE]

JUDGE

Dahibhate/-