

Vidya Amin.

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

CRIMINAL WRIT PETITION No. 162 OF 2019

Mrs. Archita Pranav Thaker	...	Petitioner
VS.		
Pranav Ashok Thaker & Ors.	...	Respondents

Ms. Archita P. Thaker, petitioner appears in person.
Mr. Sandeep V. Bane, Advocate appointed through legal aid for the petitioner.
Mr. Rahul A. Hande, Advocate for respondent no. 1.
Mr. Abhijeet Londhe, Advocate for respondent no. 2.
Mr. Vinod Chate, APP for respondent no. 6/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 21st January, 2019**

P.C. :

Advocate Mr. Sandeep V. Bane appointed from the panel of Legal Aid is present. However, as the petitioner/party-in-person got certificate that she can assist the Court, Advocate Mr. Sandeep Bane is discharged.

2. Rule. Rule made returnable forthwith. By consent of the parties, the Writ Petition is heard finally and decided at the stage of admission.

3. In this Writ Petition, by invoking the writ jurisdiction under

Article 227 of the Constitution of India, the order dated 4th January, 2019 passed by the learned Sessions Judge, Greater Mumbai rejecting the Application for transfer of Case No. 36/DV/2013 pending in 32nd Metropolitan Magistrate Court, Bandra to any other Court of Bandra.

4. The petitioner/party-in-person has submitted that her Application filed under section 91 of Cr. P.C. is disposed of without giving direction to the respondent/husband to produce the documents and on the other hand, the Application made by the husband under section 91 of Cr. P.C. directing the petitioner to produce the documents is allowed. She has further submitted that the learned Sessions Judge ought to have taken into account the order passed by the Supreme Court dismissing the Application (Special Leave to Appeal (Cri.) 7247 of 2016) made by the respondent/husband and directing the trial Court to conclude the matter. She also submitted that the amount of interim maintenance, which is fixed at Rs.25,000/- p.m., is not given to her in the beginning of the month and she and her daughter are entirely dependent on the respondent/husband.

5. Perused the order passed by the Metropolitan Magistrate on Exhibits 25 and 26 which are applications made by both the parties under section 91 of Cr. P.C. calling upon the respective parties to produce the documents. No fault is found in the said order. Similarly, the order passed by the learned Principal Judge is also legal and no good ground is made out by the petitioner for transfer of the said case from 32nd Metropolitan Magistrate Court to other Court at Bandra. It is to be noted that petitioner is appearing in person in most of the matters and, therefore, the trial Court is directed to proceed with the matter at the earliest as per the order passed by the Hon'ble Supreme Court of expediting the matter.

6. The party-in-person should not get prejudice against the Court but should trust the Presiding Officer for whom both the parties are same and equal.

7. Writ Petition is dismissed.

(MRIDULA BHATKAR, J.)