

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Misc. Civil Application No.186/2018

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. Kamaljit Singh for the Applicant
Mrs. Rekha Ketan Mehta for the Respondent

CORAM : K.K.TATED.J.
DATED : JUNE 24, 2019

P.C.

1 This Application is filed by wife under section 24 of the Code of Civil Procedure, 1908 for transfer of MP. No.136/2015 filed by the Respondent husband u/s.13(1)(ia) of the Hindu Marriage Act, 1955 for divorce before the Civil Judge, Senior Division Oros at Sindhudurg to the Civil Judge, Senior Division Panvel for final disposal on merits.

2 After arguing for some time, the learned counsel for the Applicant relied on the judgment of the apex court in the matter of *Sumita Singh Vs. Kumar Sanjay and Anr. AIR 2002 SC 396* and *Anisha Sanjay Hinduja Vs. Sanjay Sricfhand Hinduja 2003 (3) Mh.L.J. 139.*

3 At this stage, the learned counsel for the Respondent, after taking instructions from their client makes a statement that she has no objection if the matter is transferred to Civil Judge, Senior Division Panvel. She submits that in the interest of justice, this Hon'ble Court be pleased to direct the Civil Judge, Senior Division Panvel to decide the matter as early as possible within particular time.

4 Hence, by consent of the parties, following order is passed:

a. H.M.P. No.136/2015 filed by the Respondent husband u/s.13(1)(ia) of the Hindu Marriage Act, 1955 for divorce before the Civil Judge, Senior Division Oros at Sindhudurg is transferred to the Civil Judge, Senior Division Panvel for final disposal on merits.

b. This court expects that the Trial Court would decide the said petition as early as possible, but in any case on or before 30.06.2020 after hearing both sides.

c. Liberty granted to the Respondent, to file appropriate application for police

protection before the Trial Court which will be decided on merits.

d. The application stands allowed accordingly.

(K.K.TATED, J.)