

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

MISC.CIVIL APPLICATION NO.95/2019

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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Advocate Mr.Sanjay P Shinde for applicant.
Advocate Mr. Pravin H. Padave for Respondent.

**CORAM : K. K. TATED, J
DATE : AUGUST 9, 2019.**

P.C.:

Heard learned counsel for parties.

2 By this application, applicant is seeking u/s
24 of CPC transfer of Writ petition
No.265/2018 filed by respondent/husband u/s
13 (ia) of Hindu Marriage Act for divorce
before Civil Judge, Senior Division Alibag
(Camp, Mahad), to Family Court at Thane for
hearing and final disposal.

3 Learned counsel for respondent/husband submits that they have no objection to transfer of Petition NO.265/2018 from Civil Judge, Senior Division Alibag (Camp, Mahad), to Family Court at Thane. Applicant also filed Domestic Violence case no.514/2018 before Magistrate, First Class, Thane under Domestic Violence Act, 2005 which is pending for hearing on its own merits.

4 Both the matter to be heard together in the Family Court. Both the counsel submitted Consent Terms dated 9.8.2019. Those are taken on record and marked 'X' for identification. The Consent Terms reads thus;

**IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION
NO.95/2019
(UNDER SEC.24 OF THE CODE OF CIVIL
PROCEDURE,1908)**

DISTRICT-THANE

Sau Poonam Ravindra Changan ... Applicant.

Versus

Shri Ravindra Chandrakant Changan ... Respondent.

CONSENT TERMS

1) That the Respondent herein has filed the proceedings of H.M.P.No.265/2018 in the Court of Civil Judge, Senior Division, Alibag (Camp Mahad) for divorce. The applicant herein has filed Domestic Violence Case No.514/2018 in the Court of Judicial Magistrate, First Class, Thane.

2) The Respondent herein has no objection to transfer the H.M.P.No.265/2019 pending in the Court of Civil Judge, Senior Division, Alibag(Camp Mahad) to Family Court at Thane for deciding it in accordance with law.

3) The applicant has also no objection for transfer of the proceedings being Domestic Violence Case no.514/2018 pending in the Court of Judicial Magistrate, First Class, Thane to Family Court Thane for deciding it in accordance with law.

4) The applicant and Respondent have no objection for hearing the said matters on the same day to be fixed by the Family

Court, Thane. The parties herein accord their consent for hearing of the above said matters on similar dates to be granted by Family Court, Thane.

Mumbai

Dated :9/08/2019

Advocate for Applicant Advocate for Respdt

5 In view of Consent Terms, by consent of both parties, Marriage Petition no.265/2018 filed by respondent for divorce u/s 13(1)(ia) of Hindu Marriage Act 1955 pending before Civil Judge, Senior Division, Alibag and Domestic Violence Case No.514/2018 filed by applicant/wife under Protection of Women from Domestic Violence Act before Court of Judicial Magistrate, First Class, Thane is

transferred to the Family Court at Thane for hearing and final disposal on its own merits.

6 Miscellaneous Civil application disposed of accordingly.

7 No order as to cost.

(K.K.TATED, J.)