

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO. 249 OF 2019

Mr.Bhushan Chandrakant Joshi	.. Applicant
Vs.	
Mrs.Neha Bhushan Joshi	.. Respondent

Mr.Bhushan C.Joshi – Applicant -in-person present.
Mr.Gaurav Gokhale, for the Respondent.

CORAM : K.K.TATED, J.

DATE : 20th AUGUST, 2019

P.C. :

. Heard learned Counsel for the parties.

2. By this Application under Section 24 of the C.P.C., applicant – husband is seeking transfer of Domestic Violence Case No. 114/DV/2018 pending before 53rd Metropolitan Magistrate, Mumbai at Mulund to the Family Court, Bandra Mumbai for hearing and final disposal along with Marriage Petition No. A-2999 of 2018 filed by him for divorce under

Section 13 of Hindu Marriage Act, 1955.

3. After hearing both sides, applicant party-in-person and the learned Counsel for the respondent submitted Minutes of Order dated 20/08/2019. The same is taken on record and marked 'X' for identification which reads thus :

“ Minutes

1) Both the Applicant & Respondent hereby agrees for transfer of Domestic Violence Case under No. 114 /DV/2018 pending before 53rd M.M.Court Mumbai at Mulund into Marriage Petition No. M.P. A- 2999 of 2018 pending in the file of Family Court Mumbai at Bandra before Court No. 5 – Judge, 5 and forthwith matters will be clubbed and tried together.

2) Applicant herein undertakes to provide Rs.1000/- as a conveyance expenses to Respondent to attend the Hon'ble Bandra Court on each and every date, in case of default on any date, Applicant shall liable to pay Rs.2000/- for each and every default.

3) Both the Applicant & Respondent requesting this Hon'ble Court to direct the Family Court Mumbai at Bandra, to dispose the cases i.e. DV/114/2018 & M.P. A-2999 of 2018 expeditiously and within a period of

six months, if possible.

4) Both the parties agreeing on the aforesaid minutes which has been recorded during the hearing of the present Misc. Civil Application in the Bombay High Court.”

4. By considering both the parties, following order is passed.

ORDER

(i) Domestic Violence Case No. 114/DV/2018 pending before 53rd Metropolitan Magistrate, Mumbai at Mulund is transferred to the Family Court at Bandra, Mumbai for hearing and final disposal on its own merits along with Marriage Petition No. A-2999 of 2018 filed by husband for divorce under Section 13 of Hindu Marriage Act, 1955.

(ii) Hearing of application filed by wife under Domestic Violence Act and the Petition filed by applicant – husband for divorce under Hindu Marriage

Act is expedited.

(iii) Other terms and conditions as stated in the Minutes of Order to be followed accordingly.

5. Misc. Civil Application is disposed of accordingly.

No order as to costs.

(K.K.TATED, J.)