

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.36 OF 2020

Pravin Yashwant Kate	...	Applicant
versus		
Kiran Pravin Kate	...	Respondent

Nikhil Wadikar i/b Nandu V. Pawar for the
Applicant.

Sanjay Bhojwani for the Respondent.

CORAM :- SMT.BHARATI DANGRE, J.

DATE :- MARCH 9, 2020

P.C. :-

1. The miscellaneous civil application is taken out by the husband, who seek transfer of proceedings in Criminal Miscellaneous Appeal No.896 of 2018 filed by the wife under Section 12 of the Protection of Women from Domestic Violence Act, 2005 to the Family Court No.5, Pune where the proceedings for divorce instituted by her are pending.

2. The learned advocate for the respondent submit that he has no objection to transfer the said proceedings, but with a caveat that the proceedings should be expeditiously decided and the interim orders passed in the pending proceedings would continue to govern the respective parties unless and until they are

modified on transfer of the proceedings after affording an opportunity of hearing to the other side.

3. The proceedings are pending since 2018. The Family Court No.5, Pune is requested to expedite the said proceedings between the parties and make an endeavour to dispose of the proceedings within a period of eight months.

4. In view of the Miscellaneous Civil Application being allowed, the Criminal Miscellaneous Application No.896 of 2018 pending in the Court of Joint Judicial Magistrate First Class, Cantonment Court, Pune should be transferred to the Family Court No.5, Pune since this Court has directed the expeditious disposal of proceedings within a period of eight months.

5. Parties undertake that they would co-operate in expeditious disposal of the proceedings.

(SMT.BHARATI DANGRE, J.)