

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

MISCELLANEOUS CIVIL APPLICATION NO.67 OF 2020

Mrs. Poonam Suhas Patil Applicant

Vs.

Mr. Suhas Laxman Patil Respondent

Mr. Rajesh More for Applicant.
Mr. Kashyap Bhalerao for Respondent.

Coram : NITIN W. SAMBRE, J.
Date : 27TH JANUARY, 2021

P.C.:

1. Heard respective counsel.
2. The prayer for transfer is opposed by the learned counsel for the Non-Applicant/husband on the ground that in the proceedings being Regular Civil Suit No.596 of 2019, pending on the file of Civil Judge, Senior Division, Nashik, the Respondent has already tendered his affidavit in support of examination-in-chief and as such the trial has commenced.

3. This Court cannot be oblivious to the fact that the two proceedings are pending before the Pune Court i.e the proceedings under the provisions of Domestic Violence Act and also the provisions of Restitution of Conjugal Rights at the behest of the Applicant-wife.

4. It is also not in dispute that the Respondent/husband is serving at Panvel.

5. In the aforesaid background, it will be appropriate in my opinion to grant the application in terms of prayer clause (a) thereby ordering the transfer of Regular Civil Suit No. 596 of 2019, pending on the file of Civil Judge, Senior Division, Nashik to the Family Court, Pune.

6. The respective counsel agree that the hearing of Regular Civil Suit No.596 of 2019, which is ordered to be transferred, be clubbed and heard alongwith proceedings, which are pending on the file of the Family Court, Pune. Hence, the following order:

ORDER

Regular Civil Suit No.596 of 2019 and Misc. Criminal Application (Under Domestic Violence Act) No.482 of 2020, transferred to Family Court, Pune to be heard with Petition P.A. No. 103 of 2020 (for Restitution of Conjugal Rights) pending in Family Court.

(NITIN W. SAMBRE, J.)

Note : Order is corrected as per speaking to minutes of the order dtd. 10th February, 2022.

BHALCHANDRA
GOPAL
DUSANE

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BHALCHANDRA
GOPAL DUSANE
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