

R.M. Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 130 OF 2022

Maya Subhash Sonavane

.. Applicant

Versus

Subhash O. Sonavane

.. Respondent

.....

Mr. Chandrashekhar V. Yadav for Applicant

None for Respondent

.....

CORAM : MILIND N. JADHAV, J.

DATE : 25th November, 2022.

P.C.:

. Heard.

2. Though served, none appears for the Respondent-Husband.
3. Parties got married on 10.05.1978. That Applicant-wife was subjected to mental and physical cruelty by Respondent-husband while both of them were staying together. That in the year 2017 Respondent filed proceeding before the learned Maintenance Tribunal at Panvel against the Applicant and other family members and obtained interim order dated 16.11.2017 whereby Applicant and other family members were restrained from visiting the house of Respondent. That on 08.08.2019, Applicant has filed Complaint / Application under the Protection of Women from Domestic Violence Act, 2005 bearing Case No. 810/DV/2019 against Respondent and

other family members and the same is pending before the 1st Joint Civil Judge Junior Division and JMFC, Panvel, District Raigad. That the Respondent – husband to harass the Applicant-wife also initiated proceedings for divorce which is pending on the file of 3rd Civil Judge S.D., Panvel, District Raigad. Applicant has prayed that Complaint / Application under the Protection of Women from Domestic Violence Act, 2005 bearing Case No. 810/DV/2019 pending before the 1st Joint Civil Judge Junior Division and JMFC, Panvel, District Raigad be transferred to the 3rd Jt. Civil Judge S.D., Panvel, District Raigad and be tagged along with Marriage Petition No. 513 of 2019.

4. Perused the Application. For the reasons stated therein and the same having not controverted, in my opinion, Application deserves to be allowed.

5. In view of the above, Application is allowed and disposed of in terms of prayer clause (a) which reads as under:-

“(a) that the Complaint / Application, under the provision of Protection of Women from Domestic Violence Act, 2005 bearing Case No. 810/DV/2019 pending before the Ld. 1st Joint Civil Judge Junior Division and JMFC, Panvel, Raigad be directed to be transferred to the 3rd Jt. Civil Judge S.D., Panvel, District – Raigad and to be tagged along with Marriage Petition No. 513 of 2019.”

[MILIND N. JADHAV, J.]

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by RAVINDRA
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