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

MISC. CIVIL APPLICATION NO. 265 OF 2021

RAHUL GAJANAN TALEKAR

....APPLICANT

V/s.

SNEHAL RAHUL TALEKAR @ SNEHAL
SUDHAKAR HOTKAR

.....RESPONDENT

Mr. Amey D. Deshpande advocate for the Applicant
None for Respondent

CORAM : NITIN W. SAMBRE, J.

DATE: FEBRUARY 3, 2022.

P.C.:

- 1) Though served none appears for non-applicant wife.
- 2) Parties got married on 28/11/2012 and blessed with a son. After matrimonial discord, it is informed that respondent-wife filed Criminal Application under Section 12 of Protection of Women from Domestic Violence Act, 2005 which is pending on the file of Court of Judicial Magistrate First Class, Pune, whereas another proceedings being Petition A/171/2021 is pending on the file of Family Court, Pune for restitution of conjugal rights.

- 3) In the aforesaid background, a prayer is made by the learned counsel for the applicant-husband that since both these cases are based on similar set of facts, there is every likelihood that contradictory findings may be recorded, if tried independently.
- 4) As such, according to him, it is also in the interest of non-applicant wife that both these proceedings are tried and heard together by recording common evidence.
- 5) As stated herein above, non-applicant, though served has not appeared and resisted the claim put forth.
- 6) In that view of the matter, present Application is allowed in terms of prayer clause (a). It is directed that Criminal M. A. No. 3559/2020 after transfer be tried alongwith proceedings Petition A/171/2021.
- 7) Application stands allowed in the above terms.

[NITIN W. SAMBRE, J.]