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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 7 OF 2022

ABHIJEET SHRIRAM CHAITANYA

....APPLICANT

V/s.

APARNA ABHIJEET CHAITANYA

.....RESPONDENT

Mr. Vaibhav Kulkarni a/w Mr. Raturaj Batne a/w Mr. Avinash Kamble, a/w Mr. Shrirang Kathneshwarkar for the Applicant

CORAM : NITIN W. SAMBRE, J.

DATE: FEBRUARY 28, 2022.

P.C.:

- 1) Though served, none appears for the non-Applicant.
- 2) Divorce proceedings initiated by the Applicant are pending on the file of Civil Judge Senior Division, Pune whereas Domestic Violence Act proceedings initiated by the Applicant-wife are pending on the file of Judicial Magistrate First Class, Pimpri, Pune. So as to avoid overlapping of findings on the same set of facts and evidence, in my opinion, prayer for transfer needs to be allowed as same is not objected by non-applicant.

3) Application is allowed in terms of prayer clause (a) which reads thus:

“That this Hon’ble Court be pleased to transfer the Criminal Misc. App. No. 1226/2019 filed by the Respondent in the Hon’ble J.M.F.C., Pimpri, Pune under the provisions of the Protection of Women from Domestic Act, 2005 to the Court of Hon’ble Civil Judge Senior Division, Pune wherein the Marriage Petition No. 173/2019 filed by the Applicant is pending to try entertain and decide both the proceedings together.”

[NITIN W. SAMBRE, J.]