

**INTERIM APPLICATION NO. 405 OF 2023
IN
MISC. CIVIL APPLICATION NO. 114 OF 2023**

Prasad Bajrang Borade. .. Applicant
Vs.
Prachi Prasad Borade. .. Respondent

CORAM : KAMAL KHATA, J.

DATE : 15 JUNE, 2023.

P.C. :

1. Learned Counsel for the applicant submits that pursuant to the order passed by this Court on 6th April, 2022, the matter pending before the Court of Additional Chief Metropolitan Magistrate at Girgaon, Mumbai was transferred to the Court of Chief Metropolitan Magistrate at Kolhapur. Thereafter, the respondent started residing with the applicant at his residence. In view thereof, the applicant filed an application for transfer of proceedings from the Court of Chief Metropolitan Magistrate, Kolhapur to the Addl. Chief Metropolitan Magistrate's Court at Girgaon.
2. Learned Counsel submitted that after filing of this application and service upon the respondent, the respondent has gone

back to stay at Kolhapur. He therefore, seeks to withdraw this application.

3. The application is dismissed as withdrawn.
4. In view of the peculiar conduct of the respondent who though served did not appear, the applicant shall be at liberty to file a fresh application in the event that the respondent comes back and stays at Mumbai.
5. The applicant may apply for a video conference facility if it is available in the event physical presence is not required.
6. All concerned to act on the authenticated copy of this order.

[**KAMAL KHATA, J.**]