

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

MISCELLANEOUS CIVIL APPLICATION NO. 40 OF 2023

Rupali Sanjay Jadhav. ... Applicant
v/s.
Sanjay Appasaheb Jadhav. ... Respondent.

...
Mr. Priyal G. Sarda, for the Applicant.

Mr. Bhushan Walimbe, for respondent.
...

CORAM : KAMAL KHATA, J.

DATED : 18TH JULY 2023.

P.C. :

1. This Miscellaneous Civil Application is filed by the applicant-wife under section 24 of the Civil Procedure Code, 1908 to transfer Marriage Petition No. A/249/2022 which is pending before the Family Court at Kolhapur filed by the respondent to the Family Court at Solapur.

2. Learned Counsel for both the parties submit that by consent all proceedings and applications between the parties pending before the Family Court at Kolhapur be transferred to Family Court at Solapur.

3. The Learned Counsel for the Respondent has tendered two other proceedings, and requested that the same be transferred

and heard along with the above proceedings. They are as follows:

- i. Petition No. C/2/2022 filed before Family Court, Solapur.
- ii. PWDVA Application No. 69/2023 filed before JMFC, Solapur.

4. In view of the above, by consent of the counsel, I allow the application as follows :

- (a) The application is allowed in terms of prayer clause (a).
- (b) The proceedings and application made in M.P. No. A/249/2022 pending before the Family Court at Kolhapur be stayed pending transfer; and be transferred to the Family Court, Solapur.
- (c) The proceedings and application in PWDVA Application No. 69/2023 filed before Judicial Magistrate First Class, Solapur be stayed pending transfer: and be transferred to the Family Court, Solapur.
- (d) The proceedings in Petition No. C/2/2022 filed before Family court, Solapur be heard along with the above proceedings.
- (e) The Registry shall forward a copy of this order to the Family Court, Kolhapur and JMFC, Solapur with

instructions to forthwith transmit all the records of M.P. No. A/249/2022 and PWDVA Application No. 69/2023 respectively between the Respondents and Applicant to the Family Court, Solapur, preferably within 4 weeks from the receipt of this order.

(f) The Family Court, Solapur shall on receipt of the records of M.P. No. A/249/2022, and PWDVA Application No. 69/2023 club the two with Petition No. C/2/2022, and fix a date preferably within 3 weeks and issue notice to the parties for proceeding with the matter.

5. All concerned to act on the authenticated copy of this order.

(KAMAL KHATA, J.)