

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

MISCELLANEOUS CIVIL APPLICATION NO. 323 OF 2023

Sunil Tenuram Parsani

....Applicant

Versus

Ramona Sunil Parsani

....Respondent

Mr. Rohit D. Joshi, Advocate for the Applicant.

Mr. Vinod Hiranwale, Advocate for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 28th FEBRUARY, 2024.

P.C. :

1. By way of this application, Applicant is seeking transfer of D.V. Proceedings before the Judicial Magistrate First Class, Court Pune to Family Court, Pune.

2. It is contention of learned counsel for the Applicant that Respondent has filed D. V. proceedings against the Applicant, which is pending before the Judicial Magistrate First Class, Court, Pune, it is at evidence stage. The Respondent has filed divorce proceeding against the Applicant, which is pending at Family Court, Pune, for both proceedings are at evidence stage. Hence, requested to transfer the

application filed under Domestic Violence proceedings, which is pending before the Judicial Magistrate First Class, Court Pune to Family Court, Pune.

3. Learned counsel for the Respondent/Wife submitted that divorce proceedings is at the stage of evidence in Family Court. If D. V. proceedings transferred at Family Court, Pune, it will be prolonged. Yet wife has not received any maintenance amount from the Respondent hence, requested to reject the application.

4. I have heard both learned counsel. The Respondent has filed the proceedings under the Domestic Violence Act, which is reached at argument stage and divorce proceedings filed by the Applicant in the Family Court, Pune is at evidence stage. If proceedings under Domestic Violence Act is transferred to Family Court, Pune, it will be prolonged. Hence I pass following order.

ORDER

i. Application is rejected.

5. The Miscellaneous Civil Application stands disposed of.

(SHIVKUMAR DIGE, J.)