

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 221 OF 2023

Jyoti Kamalkumar PathakApplicant

V/s.

Kamalkumar Ganesh PathakRespondent

NILAM
SANTOSH
KAMBLE

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NILAM SANTOSH
KAMBLE
Date: 2024.01.29
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Mr.M.J. Bhatt, for the Applicant.

Mr.Shailesh Kantharia, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 24th JANUARY 2024

P.C:-

. Heard learned counsel for the Applicant and learned
counsel for the Respondent.

2. The learned counsel for the Applicant submits that,
the Divorce Petition is filed by the Respondent-Husband, it is
pending in Family Court, Bandra. It be transferred to Family
Court at Thane, where the Applicant stays. The learned counsel
for the Applicant further submits that, the Respondent-Husband
has not paid Arrear's of maintenance amount.

3. The learned counsel for the Respondent-Husband
has no objection for transfer of Divorce Petition from Family

Court, Bandra to Family Court, Thane. The learned counsel for the Respondent-Husband further submit that, Respondent would deposit some amount within two weeks out of the arrears of maintenance amount. Hence, requested to pass appropriate order.

4. I have heard both learned counsel.

5. It appears from record, on earlier date the learned counsel for the Respondent has give undertaking to this Court that the Respondent would deposit arrears of maintenance amount but inspite of said undertaking amount is not deposited. By the next date if the amount is not deposited the Trial Court may pass appropriate order against the Respondent-Husband. As Respondent has no objection for transfer of the Petition from Family Court, Bandra to Family Court, Thane. I pass following order.

ORDER

(i) The Petition No.A-1584 of 2014 pending before the Family Court at Bandra be transferred to Family Court, Thane along with Darkhast.

(ii) Both the parties to appear before the Family Court at Thane on 1st February 2024.

(iii) The Application is allowed and disposed of.

(SHIVKUMAR DIGE, J.)