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

MISCELLANEOUS CIVIL APPLICATION NO. 276 OF 2023

Manali Abhijit Nimbalkar

....Applicant

Versus

Abhijit Chandrakant Nimbalkar

....Respondent

Mr. Abhishek Patil, Advocate for the Applicant.

Mr. Tejas Mane a/w Mr. Harshavadhan Salgaonkar, Advocate for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 2nd APRIL, 2024.

P.C. :

1. By this application, Applicant is seeking transfer of DV proceeding pending before the JMFC Court, Panvel to JMFC Court, Shivaji Nagar, Pune.

2. It is contention of learned counsel for the Applicant that Applicant has filed DV proceeding, which is pending before the Judicial Magistrate First Class at Panvel. Applicant has also divorce proceeding, which is pending before the Civil Judge, Senior Division, Pune. Applicant is finding difficult to attend the Court's date at

Panvel. Applicant stays at Pune. Hence, requested to allow the Application.

3. Learned counsel for the Respondent submits that both the proceedings be transferred at same Court as it would be convenient for the Respondent to attend the Court's date on same day. Learned counsel further submitted that, if it is not possible to transfer the DV proceedings before Civil Judge, Senior Division, Pune it be transferred to JMFC Court, Shivaji Nagar, Pune and direction be given to the trial Court to keep the dates of both matter on same day.

4. I have heard both learned counsel.

5. Considering the submission of both learned counsel, I pass following order.

ORDER

- i. Application is allowed.
- ii. The DV proceedings pending before the Judicial Magistrate First Class Panvel be transferred to Judicial Magistrate First Class at Shivaji Nagar, Pune.
- iii. The trial Court is requested to keep the dates of divorce proceeding and DV proceeding on same date.

6. Leave to carry out amendment forthwith. Leave granted.
 7. Learned counsel for the Respondent undertakes to file Vakaltnama.
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- The Miscellaneous Civil Application stands disposed of.

(SHIVKUMAR DIGE, J.)