

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 287 OF 2023

Vikram Devram SonawaneApplicant
Versus

Megha Vikram SonawaneRespondent

Mr. Pratik P. Pawar, Advocate for the Applicant.
Mr. Sachin Padaye, Advocate for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 27th FEBRUARY, 2024.

P.C. :

1. By this application, Applicant-Husband seeking transfer of proceedings filed by the Respondent-wife under provision of Domestic Violence Act, which is pending before the Judicial Magistrate First Class, at Nashik to Family Court at Nashik.

2. It is contention of learned counsel for the Applicant that the Respondent has filed proceedings under Section 125 of Cr.P.C., which is pending before the Family Court, Nashik and petition for Restitution of Conjugal Rights, which is pending before Family Court, Nashik. Learned counsel further submitted that the Respondent has filed proceedings under the provisions of Domestic Violence Act, which is pending before the JMFC, Nashik be transferred to Family Court, Nashik, as it would be

convenient for both the parties to attend all the proceedings before the one Court. Hence, requested to allow the Application.

3. It is contention of learned counsel for the Respondent/wife that the proceedings under the Domestic Violence Act is already over and now the Application for enhancement of maintenance is pending before the JMFC, Nashik so the application for enhancement of maintenance has to be heard by the same Court. If it is transferred Family Court, it would be prolonged. Hence, requested to reject the Application.

4. I have heard both learned counsel. The Application is pending before the JMFC, Nashik is for enhancement of the maintenance amount. Both the parties stays at Nashik, enhancement of maintenance proceedings can not be transferred.

5. In view of above, I pass following order.

ORDER

i. Application is rejected.

ii. The JMFC Court, Nashik is requested to disposed of pending application as early as possible.

6. The Miscellaneous Civil Application is disposed of.

(SHIVKUMAR DIGE, J.)