



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

MISCELLANEOUS CIVIL APPLICATION NO. 28 OF 2024

Amol Vasant Kelkar and Ors.

...Applicants

vs.

The State of Maharashtra

...Respondent

Ms. Racheeta R. Dhuru a/w Mr. N. H. Naik	Advocate for the Applicants
MR. A. S. Gawai	AGP for the Respondent No. 1

CORAM : S. M. MODAK, J.

DATE : 11th OCTOBER 2024

P.C. :-

1. Heard learned Advocate Ms. Dhuru for the Applicants.
2. Domestic violence case filed by Respondent No. 2-wife. It is filed before the Court of Metropolitan Magistrate at Borivali. Now Applicant-husband and others seeking transfer of the said case to the Family Court at Mumbai. The husband has filed matrimonial petition there. When the matter was heard on 21.06.2024, a submission was made by Respondent No. 2 that interim application filed under Section 23 of the D. V. Act is pending for consideration, and

Respondent No. 2 has no objection for transfer once the said Interim Application is decided. After consent of learned Advocate for Respondent No. 2, direction was given to 17th Court of Metropolitan Magistrate, Borivali to decide that application. Now that interim application is decided on 24.09.2024.

3. No one is present on behalf of the Respondent No. 2-wife.
4. Consent recorded in the Order dated 21.06.2024 is considered.
5. In view of that following order is passed:-

ORDER

- (i) Misc. Application is allowed in terms of prayer clause 'a'.
 - (ii) Criminal Case No. 145/DV/2021 is transferred from the Court of 17th Metropolitan Magistrate, Borivali, Mumbai to the Family Court at Bandra, Mumbai.
6. Misc. Application is disposed of.

[S. M. MODAK, J.]