

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.69 OF 2024

Dipti Sandip Gaikwad Applicant

V/s.

Sandip Jaywant Gaikwad Respondent

NILAM
SANTOSH
KAMBLE

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Mr.Sachin Padaye, for the Applicant.

CORAM : ARUN R. PEDNEKER, J.

DATE : 12th JULY 2024

P.C:-

1. By the present Application the Applicant is seeking transfer of the Marriage Petition No.170 of 2021 filed by the Respondent-Husband before the C.J.S.D., Nashik to the Family Court, Nashik.

2. It is case of the Applicant that the Applicant married the Respondent on 16th February 2007 and that they have a child out of the said marriage. Due to certain matrimonial dispute she is staying in the same city, as her parents are residing but separate from her parents. The Respondent has taken their

daughter and staying separately. Both the parties are residents of Nashik. However, daughter is staying at the village with the parents of the husband. The Respondent has filed Application for divorce before the C.J.S.D., Nashik. The Applicant has also filed maintenance Proceedings under Section 125(i) of the Cr.P.C. before the Family Court at Nashik.

3. He further submits that both the proceedings taken up together and the Family Court is competent to deal with both the proceedings and no prejudice would cause in the same court.

4. The Respondent though served has not entered appearance.

5. For the reasons stated above, the Application is allowed in terms of prayer Clause (b).

(ARUN R. PEDNEKER, J.)