

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 80 OF 2024

Amey Purushottam Kudchadkar

.. Applicant

Versus

Amruta Amey Kudchadkar

.. Respondent

.....

- Mr. Bharat Manghani a/w Ms. Ranjna Lad for Applicant
- Mr. Sachin Pawar a/w Mr. Sagar Kadam for Respondent

.....

CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 28, 2024

P. C.:

1. Heard Mr. Manghani, learned Advocate for Applicant and Mr. Pawar, learned Advocate for Respondent.

2. Present Misc. Civil Application (MCA) seeks transfer of case No. DV/60/2021 from the Court of Metropolitan Magistrate, Thane to the Family Court at Thane.

3. There are two grievances expressed by the Respondent which deserve immediate intervention of the Court. One grievance pertains to outstanding arrears and the second grievance pertains to non-compliance of the orders passed by the D.V. Court regarding non-payment of EMI.

4. Mr. Manghani would submit that Applicant has brought demand draft of Rs. 5 Lacs in Court which is handed over to the Respondent

who is present in Court through her Advocate. On instructions, he would submit that the remaining amount of Rs. 7 Lacs (approx) shall be paid to Respondent within a period of seven months in seven equated monthly installments of Rs. 1 Lac each by the Applicant. Even if this submission is accepted, it would still result in having arrears of Rs. 3.5 Lacs over the next seven months since the order of interim maintenance awarded by the D.V. Court is 50,000/- per month. I have impressed upon the learned Advocate for Applicant to consider raising the amount which shall be paid by him from Rs. 1 Lac upwards so that appropriate order can be passed and parties can be relegated to the Family Court for a decision in the twin proceedings. Mr. Manghani assures the Court that he shall take instructions from his client and accordingly inform the Court tomorrow.

5. Mr. Pawar would submit that according to his computation, outstanding amount is approximately Rs. 15 Lacs. He shall furnish his computation in respect of the same to Mr. Manghani. Mr. Manghani shall take instructions and confirm the outstanding amount to the Court tomorrow so that appropriate order can be passed by Court.

6. Needless to state that this Court shall pass directions for clubbing the two matters together before the Family Court, Thane as also direction to hear the matters expeditiously considering the timeline in the present case.

7. Stand over to **29th August, 2024 at 2:30 p.m.**

Amberkar

[MILIND N. JADHAV, J.]

Digitally signed
by RAVINDRA
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