

Talwalkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 164 OF 2024

Neha w/o Anil Pawar @ Neha D/o Lobha
Rathod. .. Applicant

Versus

Anil S/o Ramaji Pawar. .. Respondent

-
- Mr. Rahul Kasat(through V.C.) a/w. Ms. Shagufta Patel, Advocate for Applicant.
 - Ms. Mahalakshmi Dakshinamurthy, h/f. Mr. Sachinkumar Rajepandhare, Advocate for Respondent.
-

CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 30, 2024.

P.C.:

1. I heard the parties on 28th August 2024 and the following order was passed :

"1. Heard Mr. Kasat, learned Advocate for Applicant through VC and Ms. Dakshinamurthy, learned Advocate for Respondent.

2. After hearing Mr. Kasat, it is seen that there is one Application under Section 9 of the Hindu Marriage Act, 1955 of which transfer is sought by the Applicant to the Family Court at Pune.

3. He would inform the Court that Applicant in the meanwhile has gone to Austria for her job. He has taken instructions from her that on the suggestion made by this

Court on the previous date to consider mediation between the parties. He would submit that Applicant is ready and willing to appear on VC during mediation.

4. *Today, Ms. Dakshinamurthy, learned Advocate appears for Respondent. She would submit that Respondent is represented by her Senior Mr. Sachinkumar Rajepandhare and he is in personal difficulty.*

5. *Learned Advocates appearing for the parties are directed to talk to each other and inform the Court if order for referring the parties to mediation for settlement can be passed.*

6. *Stand over to 30th August 2024."*

2. Today Ms. Dakshinamurthy, learned Advocate appearing on behalf of Respondent on instructions would submit that Respondent is also ready and willing to refer the dispute between the parties to mediation. Considering the request made by Mr. Kasat day before yesterday, both the parties shall be permitted to appear on VC, if so required before the Mediation.

3. By consent of the parties, all disputes between the parties in this case are referred to mediation. By consent, Mr. Umesh Devarshi, learned Advocate practicing in this Court is appointed as Mediator by the Court.

4. Parties are directed to approach the learned Mediator to fix the schedule of dates of meetings and shall extend complete

cooperation.

5. It is directed that costs of mediation and the Mediator's fees and charges shall be borne equally by the Applicant and Respondent both.

6. Learned Mediator is requested to decide the mediation proceedings within six weeks and submit report to this Court on or before 11.10.2024.

7. Learned Mediator shall be at liberty and is permitted by this Court to call for any such relevant documents from the parties and if so called for, the parties are directed to produce the same before the learned Mediator.

8. Parties to act on an authenticated copy of this order.

9. Stand over to **11th October 2024**.

10. In the meanwhile, ad-interim relief granted earlier, if any, to continue till the next returnable date.

[MILIND N. JADHAV, J.]

Talwalkar

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TALWALKAR

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