

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

MISC CIVIL APPLICATION NO. 208 OF 2024

Amogh Hegde	...Applicant
Versus	
Smita Rane Hegde	...Respondent

....

Mr. Vikramaditya with Mr. Ashwin Vasista, for the Applicant.

None, for the Respondent.

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CORAM	:	N.R. BORKAR, J.
DATE	:	7th AUGUST, 2024

P.C.:

1. By this Application the applicant-husband is seeking transfer of the application filed by the respondent-wife under the provisions of Protection of Women from Domestic Violence Act, CC No. 337/DV/2022 from the file of Metropolitan Magistrate Court, Andheri, Mumbai to the file of Family Court at Bandra, Mumbai.

2. I have heard the learned counsel for the applicant. The learned counsel for the applicant submits that the Respondent has filed an application under Section 125 of the Code of Criminal

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Procedure and the same is pending before the Family Court at Bandra, Mumbai. It is submitted that petition filed by the applicant for divorce and custody of child is also pending before the Family Court at Bandra, Mumbai.

3. The learned counsel for the applicant submits that by consent of the parties the Family Court at Bandra, Mumbai has passed order in respect of interim maintenance and thus it would be appropriate to transfer the proceeding in question to the Family Court at Bandra, Mumbai. In support of submission, the learned counsel for the applicant has tendered order dated 24.07.2024 passed by the Family Court, Bandra at Mumbai, below Exhibit 20 in Petition No. A-232 of 2020.

4. Considering the overall facts and circumstances, following order is passed:

- i) The application is allowed.
- ii) The Court of Metropolitan Magistrate, Andheri, shall transfer the CC No. 337/DV/2022 pending on it's file to the Court of Family Court, Bandra, Mumbai and the Family Court Bandra,

Mumbai shall decide it in accordance with law.

iii) Application is disposed off accordingly.

(N.R. BORKAR, J.)