

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 217 OF 2024

Swati Deepak Shinde .. Applicant
Versus
Dipak Prakash Shinde .. Respondent

-
- Ms. Deepika Mule a/w Mr. Kiran S. Mohite for Applicant
 - Mr. Ramesh B. Shinde for Respondent
-

CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 28, 2024

P. C.:

1. Heard Ms. Mule, learned Advocate for Applicant and Mr. Shinde, learned Advocate for Respondent.

2. By the present Misc. Civil Application (MCA), Applicant seeks transfer of HMP No. 112/2023 filed by Respondent before the Civil Judge Senior Division at Karad, Satara to the Civil Judge Senior Division at Kalyan, Thane.

3. Applicant resides in Dombivali and works in Mumbai. Applicant has a 2 & half year old minor child to care for. Applicant resides with her parents in Dombivali and has therefore sought transfer of the proceedings in view of the hardship encountered by her and as enumerated in her Application on running page Nos. 13 to 19 of the Application.

4. I have perused the grounds and apart from proximity of distance and the fact that Applicant is working in Mumbai and also has to nurture her minor child, the MCA deserves to be allowed.
5. Mr. Shinde would submit that Respondent is working in an IT Company at Bangalore and therefore if it is possible, appropriate directions be passed to permit the Respondent to appear through video conferencing. The request made by Mr. Shinde is fair in view of the fact that Respondent is working in IT Company at Bangalore.
6. As such, Application is allowed and disposed of in terms of prayer clause (a) which reads as under:-

“(a) This Hon'ble Court be pleased to transfer the case i.e. HMP No. 112 of 2023 filed by the Respondent before Civil Judge (Senior Division), at Karad, Satara to the Civil Judge (Senior Division), at Kalyan, Thane.
7. Civil Judge Senior Division at Kalyan shall permit the Respondent to appear through VC on the scheduled dates of hearing.
8. Both the Courts shall take cognizance of a server copy of this order and act accordingly.
9. MCA is allowed and disposed.