

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 232 OF 2024

Heta Bharat Merchant .. Applicant
Versus
Sudhanshu Pradip Parikh .. Respondent

-
- Ms. Pooja Pandey for Applicant
 - Mr. Ankit Takle i/by Mr. Vijay Shelar for Respondent
-

CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 16, 2024

P. C.:

1. Heard Ms. Pandey, learned Advocate for Applicant and Mr. Takle, learned Advocate for Respondent.

2. Present Misc. Civil Application (MCA) seeks transfer of Marriage Petition from Family Court, Pune to the Family Court at Bandra. The grounds are enumerated in paragraph No. 12 of the Application. Ground of hardship is clearly made out. Applicant is a working professional in Mumbai whereas Respondent is working as an Information Technology (IT professional) in Pune and also residing in Pune.

3. Mr. Takle in his usual fairness has made only one submission that in the event if the Court is allowing the Application, appropriate direction be given to the Family Court at Bandra to enable the Respondent to appear through video conferencing during Court

proceedings / dates so that it will not hamper his job profile as an IT professional in his company. Request made by Mr. Takle is absolutely fair and deserves to be considered and stands allowed.

4. In view of the above and considering the hardship expressed in the Application, the Application is allowed and disposed of in terms of prayer clause (a) which reads thus:-

"(a) This Hon'ble Court be pleased to transfer the Petition No. A/2116 of 2023 filed by the Respondent u/s. 9 of the Hindu Marriage Act, pending in the Ld. Family Court, 1 at Pune to Family Court No. 5 at Bandra, Mumbai where the Petition being Petition No. A/3504 of 2022 filed by the Applicant under Section 13(1)(i-a) of Hindu Marriage Act, 1955 is pending."

4.1. However it is clarified that the Family Court, Bandra which would be seized with hearing of the transferred Marriage Petition A/3504 of 2022 shall permit the Respondent to appear through VC on the scheduled hearing dates and shall share the VC link and password to the Respondent through his Advocate.

5. Before parting, I would like to put a brief word of appreciation for Advocate Mr. Takle who appeared for Respondent. He has argued very fairly and did not waste the time of the Court. This Court appreciates the conduct of Mr. Takle for that matter.

6. With the above directions in place, MCA is allowed and disposed.

[MILIND N. JADHAV, J.]

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by RAVINDRA
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