

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.278 OF 2024

Usha Rupabhai Parmar

.. Applicant

Versus

Ashok Ladkya Tokare and Ors.

.. Respondents

-
- Mr. Sachin Gawade, Advocate for Applicant.
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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 29, 2024

P.C.:

- 1.** Heard Mr. Gawade, learned Advocate for Applicant.
- 2.** In compliance of order dated 16.08.2024, Affidavit of service dated 21.08.2024 is filed. It is stated in the said Affidavit of service that attempts have been made on the three addresses which are identical addresses as given by Respondents in the proceedings before the Trial Court for effective service of the Respondents. He would draw my attention to the certified copy of *patta pursis* filed by Respondents before learned Trial Court.
- 3.** Considering the ground mentioned in the Application and the fact that Applicant is a lady prosecuting the Darkhast proceedings, the hardship is evident on the face of record. Despite succeeding before the Trial Court, the Applicant is required to attend the Executing Court and undertake the travel distance from Palghar to Thane.

4. In that view of the matter, I am inclined to allow the present Miscellaneous Civil Application as prayed for by the Applicant. The Miscellaneous Civil Application stands allowed in terms of prayer clause (a) which reads thus:-

“(a) That this Hon’ble Court may be pleased to transfer the Regular Darkhast No. 93 of 2014 from the file of the learned Jt. Civil Judge, Junior Division, Thane to the file of the learned Civil Judge, Junior Division, Palghar at Palghar.”

5. With the above directions, Miscellaneous Civil Application is allowed and disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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