

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.333 OF 2023

Ashwajit Arvind Kurne and Ors. .. Applicants
Versus
Naina Ashwajit Kurne .. Respondent

WITH
MISCELLANEOUS CIVIL APPLICATION NO.286 OF 2024

Naina Ashwajit Kurne .. Applicant
Versus
Ashwajit Arvind Kurne .. Respondent

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- Mr. Raj Khude, Advocate for Applicant in Miscellaneous Civil Application No.333 of 2023.
 - Mr. Saurav N. Katkar a/w. Ms. Sanjeevani Darade Raskar, Advocates for Applicant in Miscellaneous Civil Application No.286 of 2024 and Respondent in Miscellaneous Civil Application No.333 of 2023.

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CORAM : MILIND N. JADHAV, J.
DATE : AUGUST 23, 2024

P.C.:

1. Heard Mr. Khude, learned Advocate for Applicant in Miscellaneous Civil Application No.333 of 2023 and Mr. Katkar, learned Advocate for Applicant in Miscellaneous Civil Application No.286 of 2024 and Respondent in Miscellaneous Civil Application No.333 of 2023.

2. By consent of parties after hearing the parties on 16.08.2024, the following order was passed:-

“1. Heard Mr. Khude, learned Advocate for Applicant in

Miscellaneous Civil Application No.333 of 2023 and Mr. Katkar, learned Advocate for Applicant in Miscellaneous Civil Application No.286 of 2024 and Respondent in Miscellaneous Civil Application No.333 of 2023.

2. Mr. Katkar would submit that in view of cross Miscellaneous Civil Applications filed by the parties, he would obtain instructions from the wife whom he represents as to whether she will be agreeable to have both the matters namely Marriage Petition and proceedings under the Protection of Women from Domestic Violence Act, 2005 transferred to Belapur Court since she is living at Kharghar. If such instructions are obtained and informed to the Court, this Court will pass appropriate orders.

3. Stand over to 23rd August, 2024.”

3. Today Mr. Katkar, learned Advocate appearing for the wife in the Applications would submit that he has obtained instructions and in view of her residence been in Kharghar and having close proximity to Court at Belapur, she is agreeable that proceedings between the parties if conducted in the Family Court at Belapur, it would be convenient for the parties.

4. In view of the above, by consent of the parties, both the Applications are disposed of by issuing a direction that following proceedings stands transferred to Family Court at Belapur:-

Sr. Nos.	Particulars	Pending at Court
(i)	Divorce Petition No.684 of 2022.	At Bandra Family Court
(ii)	Restitution of Conjugal right Petition bearing No.2410 of 2022 and any other application pending before Family Court at Bandra, Mumbai.	At Bandra Family Court
(iii)	Miscellaneous Application No.548 of 2023 under Section 12 of DV Act, 2005.	At Panvel, JMFC

5. With the above directions, both Miscellaneous Civil Applications are disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]