

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 310 OF 2024

Rajendra Popat Ghanwat

.. Applicant

Versus

Manali Rajendra Ghanwat

.. Respondent

-
- Mr. Abhijit Sarwate for Applicant through VC

.....

CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 16, 2024

P. C.:

1. Heard Mr. Sarwate, learned Advocate for Applicant.
2. Applicant has filed the present MCA on the ground that Civil Judge Senior Division, Pune would not have jurisdiction to try and entertain the proceedings. It is seen that the proceedings for maintenance under the Hindu Adoption and Maintenance Act 1956 are pending before the Civil Judge Senior Division, Pune wherein the Applicant has filed a counter claim seeking dissolution of marriage.
3. Mr. Sarwate would inform that Respondent is residing within the jurisdiction of the city of Pune and hence, ground pleaded by the Applicant that it would be the Family Court, Pune which would be the correct jurisdictional Court to hear the proceedings needs to be accepted.

4. On hearing the above submissions, an arguable case is made out by Mr. Sarwate for issuance of notice. Hence, issue notice to the Respondent made returnable on 23.08.2024. Humdast permitted. In addition to Court's notice, Applicant is directed to serve copy of the MCA along with copy of this order on the Respondent and inform her about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof on or before the next date. After receiving the notice, Respondent to file affidavit-in-reply on or before the next date, if so desired with an advance copy to the Advocate for Applicant.

5. Respondent is directed to remain present either by herself or through her Advocate on the next adjourned date. It is made clear that if Respondent remains absent despite service on the next adjourned date, this MCA shall be heard and disposed of at the stage of admission in the absence of the Respondent.

6. Stand over to **23rd August, 2024.**

[MILIND N. JADHAV, J.]

Amberkar

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2024.08.16
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