

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 327 OF 2024

Crystal Fernandes	.. Applicant
Versus	
Joshua Henry Fernandes	.. Respondent

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- Ms. Deepa Punjani for Applicant

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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 16, 2024

P. C.:

1. Heard Ms. Punjani, learned Advocate for Applicant.
2. Applicant seeks transfer of proceedings pending in the Civil Court at Mapusa in Goa to the Family Court at Mumbai.
3. Perused the MCA. Applicant is presently residing in Mumbai along with her 2 & 1/2 year old son. It is pleaded that the proceedings which are instituted under the Portuguese Code cannot be a bar for transfer of the same to the Court at Mumbai.
4. In view of the above, an arguable case is made out by Mr. Punjani 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 him 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 himself or through his Advocate or through VC 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.]

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by RAVINDRA
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AMBERKAR
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