

Ajay

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

MISC. CIVIL APPLICATION NO. 339 OF 2024

Raviraj Subhash Chavan	.. Applicant
Versus	
Smita Raviraj Chavan	.. Respondent

**WITH
MISC. CIVIL APPLICATION NO. 264 OF 2024**

Smita Raviraj Chavan	.. Applicant
Versus	
Raviraj Subhash Chavan	.. Respondent

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- Mr. Rajesh More, Advocate for Applicant in MCA No.339 of 2024 and for Respondent in MCA No.264 of 2024.
 - Mr. Sugandh B. Deshmukh a/w. Irvin D'Souza and Mr. Vaibhav Thorve, Advocates for Applicant in MCA No.264 of 2024 and for Respondent in MCA No.339 of 2024.
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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 29, 2024.

P.C.:

1. Heard Mr. More, learned Advocate for Applicant in MCA No.339 of 2024 and for Respondent in MCA No.264 of 2024 and Mr. Deshmukh, learned Advocate for Applicant in MCA No.264 of 2024 and Respondent in MCA No.339 of 2024.

2. Both the learned Advocates have made their respective submissions and I have also perused the pleadings. It is seen that there is one proceeding under the Protection of Women from Domestic Violence Act, 2005 (D.V. Act) pending at Nashik and the Marriage

Petition is pending in Pune. Husband is residing in Pune and the wife is residing in Nashik. Cross Misc. Civil Applications (MCAs) are filed by both parties seeking transfer of proceedings either to Pune or Nashik.

3. Be that as it may, on perusing the pleadings and after hearing the learned Advocates and considering the timeline pursuant to the marriage between the parties in the present case, it is suggested that it would enure to the benefit of both parties go for Mediation without prejudice to their rights and contentions. Suggestion is received from Mr. Deshmukh to refer the parties to Mediation at Family Court, Nashik is fair. Mr. More agrees to the same.

4. Both learned Advocates would submit that the Court may pass an appropriate order to refer the dispute of the parties to Mediation at the Mediation Centre, Family Court, Nashik. Mr. More in his usual fairness would submit that the husband shall travel from Pune to Nashik and take part in the Mediation proceedings since even he is inclined to put an end to the *lis* between the parties.

5. In that view of the matter, by consent of the parties, the learned In-charge / Registrar of the Mediation Centre, Family Court, Nashik is directed by this Court to appoint a Trained Mediator to carry out Mediation between the parties and have the meeting sessions with the parties in order to reconcile the dispute and make an appropriate

report to this Court. Let the report of the Mediator be submitted to this Court within a period of five weeks from today.

6. A server copy of this order shall be placed before the In-charge / Registrar of the Family Court, Nashik by the Advocate for the wife on 31st August 2024 at 10:30 a.m.. The learned In-charge / Registrar shall take immediate cognizance of the server copy of this order and immediately appoint the concerned Mediator and the Mediator is directed by this Court to issue notice to both the parties accordingly. The address and all other details of the husband shall be provided by the Advocate for the wife to the concerned Mediation Centre, Family Court, Nashik. Mr. More is directed to furnish the details of the husband to the Advocate for the wife.

7. In the meanwhile, ad-interim relief granted earlier, if any, shall continue.

8. With the above directions, stand over to **4th October 2024**.

[MILIND N. JADHAV, J.]

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Digitally signed
by AJAY
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