

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

Misc. Civil Application No.368 of 2024

Parul Gaurang Sharma ... Applicant
V/s.
Gaurang Rajendra Sharma ... Respondent

Mr. Gaurav Parkar	Advocate for the Applicant.
Mr. Sanjeev P. Kadam with Varsha M. Thorat, Pratik Deshmukh i/b. Prashant P. Raut	Advocate for Respondent.

CORAM : S.M. MODAK, J

DATE : 22 November 2024.

P.C. :

Heard learned Advocate Shri Parkar for the applicant-wife and learned Advocate Shri Kadam for the respondent-husband.

2. There is domestic violence proceedings filed by the wife before the Judicial Magistrate, First Class, Palghar. There are interim applications filed in the domestic violence proceedings. It is at the stage of deciding interim application. The restitution petition is pending before the Civil Judge, Senior Division, Palghar. There are two children out of this wedlock. At present, the custody is with the applicant-wife.

3. The respondent-husband has filed a custody petition before

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the Family Court at Mumbai. He is pressing for custody of both the children. At present he is posted at Chennai in southern railway. For him it is difficult to travel every now and then. The applicant is desirous of joining the company of the husband but according to husband it is not in the interest of the parties. It is better if the settlement process can be initiated. In view of that following directions are issued:-

- (i) The respondent-husband is at liberty to appear before the learned Mediator at Palghar through video conferencing.
- (ii) The concerned Judge to appoint a Mediator either Judge/panel Advocate.
- (iii) The applicant-wife not to insist upon the presence of the respondent-husband and in-laws in domestic violence proceedings.
- (iv) Learned judge seized of the matter to send compliance report.

4. Stand over to **3 January 2025**.

5. There is also a transfer application filed by the respondent-husband being MCA (st)No.25061/2024 in which wife is served. Both the matters be tagged together.

6. The Learned Advocate Shri Kadam assures to give instructions not to insist upon the hearing of the Custody Petition pending before Family Court, Bandra

(S.M. MODAK, J.)