

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

MISC. CIVIL APPLICATION NO. 373 OF 2024

Kanu Priya JalanApplicant

Versus

Amol MaheshwariRespondent

....

Adv. Mihir Jadhav a/w Mr. Yogen Kakde, Mr. Bhavesh Kadam, Mr. Shashank Shubham, Advocate for the Applicant.

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CORAM : MILIND N. JADHAV, J.

DATE : 16th AUGUST, 2024.

P.C.:

1. The Applicant seeks transfer of marriage petition filed before the Civil Judge, Senior Division, Thane to the Family Court in Civil Judge, Senior Division, Pune. This is because the Applicant is residing in Wakad which is outside the jurisdiction of the Family Court, Pune. The grounds are enumerated in the petition. I have perused the same and *prima facie* an arguable case is made out by the Applicant for issuance of notice especially in view of the fact the there are two proceedings which are already pending between the parties in Pune.

2. Hence, issue notice to the Respondent. Humdast permitted.

3. In addition to Court's notice, Applicant is directed to serve copy of the application along with copy of this order on the

Respondent and inform 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.

4. 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 video conferencing on the next adjourned date. It is made clear that if Respondent remains absent despite service on the next adjourned date, this Misc. Civil Application 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.)