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IN THE HIGH COURT OF BOMBAY AT GOA
TRANSFER APPLICATION NO.6 OF 2025

DEEPIKSHA RAMA NAIK

... Petitioner.

Versus

SNEHAL SHIVA DEVUSKAR

... Respondent.

Ms. Prachi Sawant, Advocate under Legal Aid Scheme for the
Petitioner.

Mr. Sagar Dhargalkar, Advocate under Legal Aid Scheme for
the Respondent.

CORAM: VALMIKI MENEZES, J.

DATED: 18th September, 2025

P.C:

1. Registry to waive office objections and register the matter.

2. The Applicant invokes jurisdiction under Section 24 of the Code of Civil Procedure seeking to transfer Matrimonial Petition No. 15/2025/A presently on the file of the Court of the Civil Judge Senior Division at Quepem to the Court of the Civil Judge Senior Division, 'A' Court at Ponda. The primary contention on the basis of which the transfer is sought is that the Applicant, who is the wife of the Respondent and the Defendant in the annulment proceedings in the civil suit pending at Quepem, has filed proceedings under the Domestic Violence Act before the J.M.F.C., 'B' Court at Ponda, wherein she has claimed various orders including an order for paying

monetary compensation in the form of maintenance under Section 20 of the Act.

3. The application is objected to by the learned Advocate for the Respondent.

4. The Domestic Violence proceedings, in which the husband, Plaintiff in the suit before the Quepem Court is contested. In the Domestic Violence case, the husband (Respondent herein) has put in appearance and has sought time to file a reply. He is represented by an Advocate and is contesting the matter.

5. No doubt, the Matrimonial Proceedings for seeking annulment of the marriage between the Petitioner and Respondent has been filed, first in point of time, before the Quepem Court; nevertheless, the reasons cited for seeking transfer to Ponda are that the Applicant resides at Ponda and since she is currently unemployed, she is required to travel to Quepem Court at a considerable expense, to contest the matter. The Applicant has also made a statement today that Written Statement in the Matrimonial Proceedings has been filed on 17.09.2025 and the trial has not yet commenced. The other grounds in the transfer application may be disputed; however, the fact that the Applicant is unemployed and would need to travel to Quepem, from her hometown at Ponda during the trial of the Matrimonial Proceedings is not in doubt.

6. Considering these facts, it would be appropriate that the Matrimonial Petition No. 15/2025/A presently on the file of the Court of the Civil Judge Senior Division, 'A' Court, Quepem be transferred to the file of the Civil Judge Senior Division, 'A' Court at Ponda. The Registry of the Civil Judge Senior Division, Quepem, to transfer the file within two weeks of this order.

7. In exercise of the jurisdiction vested in this Court under Section 447 of the BNSS, and considering the convenience of the parties, Domestic Violence Case No. 10/2025, presently on the file of the J.M.F.C., 'B' Court at Ponda, shall stand transferred to the Court of the J.M.F.C., 'A' Court at Ponda. Registry of the J.M.F.C., 'B' Court, Ponda, to act upon this order and effect the transfer to remit the file to the Registry of J.M.F.C., 'A' Court, Ponda, within two weeks of this order.

8. The learned Advocates for the parties submit that the next date of the Domestic Violence case before 'B' Court, Ponda is on 15.10.2025 at 2:30 p.m. The J.M.F.C., 'A' Court, Ponda is requested to henceforth deal with Matrimonial Petition No. 15/2025/A and Domestic Violence Case No. 10/2025 (which may be re-numbered) and the parties shall appear before that Court which shall continue with the proceedings on 15.10.2025 at 2:20 p.m.

9. Authenticated copies of this order shall be placed before the Civil Judge Senior Division, 'A' Court, Quepem and J.M.F.C., 'B'

Court, Ponda, for necessary action. The Registry of this Court is also directed to communicate this order to the aforementioned two Courts for necessary action.

10. Application stands disposed of.

VALMIKI MENEZES, J.