

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 68 OF 2025

ANAND
SUDHAKAR
SUDAME

Shraddha Kanifnath Darade

..Applicant

Versus

Kanifnath Vinayak Darade

..Respondent

Mr.Vincent D'Silva i/b. Mr. Sujit Mane, Advocates, for the Applicant

Mr. Shantanu Kadam a/w. Mr. Krutik Vora, Advocates, for the Respondent

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by ANAND
SUDHAKAR
SUDAME

CORAM : RAJESH S. PATIL, J.

Date: 2025.12.16
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DATE : 12.12.2025

P. C.

1. 1. Mr. D'Silva, learned counsel appearing for the applicant-wife submits that the applicant-wife has filed First Information Report against the respondent-husband under Section 498-A of the Indian Penal Code, with Jogeshwari Police Station. So also, she has filed domestic violence proceedings before the Metropolitan Magistrate at Andheri and as the respondent-husband was having extra marital affair, she has filed Petition before the Family Court at Bandra being Petition No. B 4/2022. Only thereafter the respondent-husband has filed the divorce proceedings before the Family Court at Nashik. He submits that the distance between Mumbai and Nashik is about 200 kms and there is nobody in the home of the applicant-wife who could accompany her

to travel to the Family Court at Nashik to attend Court proceedings and return back on the same day. He further submits that an order of interim maintenance was passed in the domestic violence proceedings granting interim maintenance of Rs.10,000/- per month to the applicant-wife. As of today, the respondent-husband is in arrears of Rs.1,80,000/-, hence, he submits that the divorce proceedings filed by the husband before the Family Court at Nashik be transferred to the Family Court at Bandra and be tagged and heard along with Petition filed by the applicant-wife.

2. Mr. Kadam, learned Counsel for the Respondent, on instructions from the Respondent fairly submits his client has no objection, if the present proceeding is allowed. Mr. Kadam, learned Counsel for the Respondent, on instructions of his client has also submitted that the arrears of maintenance of Rs. 1,80,000/- (Rupees One Lac And Eighty Thousand Only) would be cleared within a period of three months from today. 50% of the said amount would be cleared within a period of one month from today. The statement made by Mr. Kadam, learned Counsel for the Respondent, on instructions of his client is accepted as an undertaking given to this Court. So also Mr. Kadam, learned Counsel for the Respondent has voluntarily made a statement that interim maintenance has been fixed at Rs. 10,000/- per month. The same has

been challenged by both the parties. However, both the parties are unsuccessful in challenging quantum of the maintenance. His client is ready and willing to pay Rs. 10,000/- per month till further orders passed by any of the Courts as regards maintenance.

3. In view of the statement made by Mr. Kadam, learned Counsel for the Respondent, on instructions of his client, the MCA **stands allowed** in terms of **prayer clause (a)**.

3.1 The proceeding, being Petition – A No. 529 of 2020 pending before the Family Court, Nashik be transferred to the Family Court, Bandra, Mumbai within a period of four weeks from today and be heard along with Petition-B 4 of 2022. Both the Petitions be clubbed and heard together by one and the same Judge.

3.2 The hearing of both the Petitions is hereby expedited. Both the parties through their Counsel undertake to this Court that they will co-operate with the learned Family Court, Bandra, Mumbai for the early hearing of both the Petitions and will not seek any unnecessary adjournments.

3.3 So also the hearing of the D. V. proceeding pending before the learned JMFC, Andheri is also expedited.

(RAJESH S. PATIL, J.)