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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 387 OF 2024

Varsha Suresh Lagas alias

Manisha Mukund Chavan

... Applicant

v/s.

Mukund Raghunath Chavan

... Respondent

Ms. Padmaja Malgaonkar for the Applicant.

Mr. Umesh V. Dhumal for the Respondent.

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CORAM : Kamal Khata, J.
DATED : 22nd July 2025.

P.C.:-

1. By this Application, under Section 24 of the Code of Civil Procedure, 1908, the Applicant seeks transfer of Petition No. A-2930 of 2022 filed before Family Court at Bandra to Family Court at Satara.

2. The Marriage was solemnized between Applicant and Respondent on 25th May 2010 as per Hindu rites and rituals at Alandi, Pune.

3. Owing to marital discord, the Respondent husband filed a Divorce Petition before No. A-2930 of 2022 before Family court at Bandra, Mumbai.

4. The Respondent is employed with Brihanmumbai Electricity Supply and Transport (BEST) and is earning a livelihood, whereas the Applicant is currently residing with her parents in Satara and is not earning any independent income.

5. Learned Advocate for the Respondent submits that the wife is prolonging the proceedings before the Family Court at Satara and is not inclined to settle the matter in any form.

6. The Court posed a query as to whether an amicable settlement was possible.

7. In response, the Court is informed that the Applicant had earlier demanded ₹4 lakhs as one-time settlement before the Subordinate Court, which has now been increased to Rs.10 lakhs. Such wavering demands, it is submitted, are being used as tools to delay the proceedings and misuse the process of the Court to extract money from the Respondent. This assertion is not denied by the Applicant's Advocate.

8. The Applicant's conduct is unacceptable to this Court, inasmuch as placing a pre-condition for settlement is impermissible.

9. However, considering the law laid down by the Hon'ble Supreme Court in *NCV Aishwarya vs. A.S. Saravana Karthik*

Sha,¹ and in order to bring finality to the dispute, the Respondent's Advocate fairly agrees to the transfer of proceedings from the Family Court at Bandra to the Family Court at Satara.

10. The Respondent shall be at liberty to apply for permission to appear before the Family Court at Satara via video conferencing in the event he is unable to remain personally present. Any such application shall be considered by the Court on its own merits.

11. The transfer shall be effected within a period of four weeks from the date of uploading of this Order on the website of the Bombay High Court. Upon receipt of the papers and proceedings, the Family Court at Satara shall issue notice to the parties, preferably within three weeks, and proceed with the matter expeditiously.

12. Miscellaneous Civil Application is disposed of in the above terms.

13. All concerned to act on this authenticated Copy of this Order.

(Kamal Khata, J.)

¹ 2022 SCC OnLine SC 1199