

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 573 OF 2024

Tushar Gangadhar Gurule ...Applicant

Versus

Chetna Tushar Gurule alias Chetana
Navale

...Respondent

SANTOSH
SUBHASH
KULKARNI

Mr. Sachin Padaye, for the Applicant.
Mr. Saurabh Raut, for the Respondent.

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SANTOSH SUBHASH
KULKARNI
Date: 2025.03.11
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CORAM: N. J. JAMADAR, J.

DATED: 7th MARCH, 2025

Order:-

1. Heard the learned Counsel for the parties.
2. This is an application for transfer of a proceeding under the Protection of Women from Domestic Violence Act, 2012 ("DV Act") being PWDVA/11/2024 from the Court of the Magistrate at Nashik Road, Nashik to the Family Court at Nashik Raod, Nashik.
3. The Court is informed that two petitions: a petition for restitution of conjugal rights filed by the respondent – wife and a petition for dissolution of marriage filed by the applicant – husband, are pending before the Family Court at Nashik Road, Nashik.
4. The learned Counsel for the respondent, on instructions, submits that the respondent is not averse to the transfer of the

proceeding from the Court of Magistrate at Nashik Raod to the Family Court at Nashik Road. However, considering the pendency of the cases at the Family Court, Nashik Road, the learned Judge be requested to hear and decide the proceeding under the Domestic Violence Act expeditiously.

5. In view of the aforesaid submissions, the application stands allowed in terms of prayer clause (a).

6. PWDVA/11/2024 stands transferred from the Court of Magistrate, Nashik Road to the Family Court at Nashik Road for hearing and disposal in accordance with law alongwith marriage petitions subjudice before the Family Court.

7. The learned Magistrate, Nashik Road, shall transfer the record and proceedings in PWDVA/11/2024 with such dispatch that it reaches the Family Court at Nashik Road within a period of two weeks from the date of communication of this order.

8. The learned Judge, Family Court at Nashik Road, Nashik, is requested to hear and decide PWDVA/11/2024 as expeditiously as possible.

9. Application stands disposed.

No costs.

[N. J. JAMADAR, J.]