



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 144/2025

Pankaj Bhimarao Pawar ..Applicant
VS
Shivganga Pankaj Pawar ..Respondent

Mr. Sanjeev Kadam, Senior Advocate a/w. Adv. Prashant Raul,
Adv.Varsha Thorat, Adv.Sufyaon Mansuri i/b. Adv. Ajinkya Udane for
applicant.

Adv. Aharva R. B. a/w. Adv. Vyankatesh Pawar for respondent.

Mr. Pankaj Pawar, applicant present through V.C.

Respondent present.

CORAM : RAJESH S. PATIL, J.

DATE : 8 OCTOBER 2025.

P.C. :

1. This application filed by applicant,husband of the respondent-
seeking transfer of the Domestic Violence complaint filed by the
respondent-wife before the Judicial Magistrate First Class, Shivaji
Nagar, Pune to 8th Family Court at Pune.

2. After the matter was argued for some time, both the counsel,
on instructions of their clients who are present physically in Court
and through video conferencing have agreed to allow this application
on certain conditions.

3. The Misc. Civil Application stands allowed in terms of prayer

clause (A).

3.1 The Domestic Violence Proceeding bearing PWDVA No.175 of 2024 is transferred to 8th Family Court at Pune where the Divorce Proceeding bearing P.A. No.2102 of 2024 is pending, be heard together and the said proceeding be transferred to 8th Family Court at Pune within a period of four weeks from today.

3.2 The Interim Maintenance Application filed by the respondent-wife in the Domestic Violence proceedings be heard expeditiously by the 8th Family Court at Pune, and in any case to be heard and decided by 31 January 2026.

3.3 The said interim application be heard on its own merits and this Court has not commented on the said proceedings.

3.4 Both the parties will cooperate with the hearing of the said application and would not seek unnecessary adjournments. Both the parties are also allowed to appear in the said proceeding through video conferencing and whenever needs arises as per the advice of the learned Judge taking up the matter of 8th Family Court, they will appears in person.

4. Mr. Kadam, learned senior advocate, on instructions of his client, has volunteered that his client, without prejudice to the rights

and contentions of both the parties, will deposit a sum of Rs.10,000/- per month, on the 5th day of each month till disposal of the interim maintenance application by 8th Family Court at Pune, towards maintenance to the respondent-wife. Further the amount from the date of the filing of the domestic violence case till today is approximately Rs.1,80,000/-, which will be deposited directly in the bank account of the respondent – wife within a period of 12 weeks.

4.1 This is temporary arrangement made between the parties. This Court has not gone into the merits of the interim maintenance application. The above directions are passed only because learned senior advocate Mr. Kadam appearing for the applicant-husband on instructions of his client submitted that his client has volunteered to pay such amount.

4.2 Just for the purpose of clarification, the amount which would be paid by the applicant-husband to the respondent-wife will be adjusted and set off from the amount which will be granted in the interim maintenance application in the domestic violence proceeding by the 8th Family Court at Pune.

4.3 As there are two interim applications filed by the respondent-wife; one in the domestic violence proceeding and another in the

divorce proceeding, in view of the law as laid down in the case of *Rajnish vs. Neha & Ors. Reported in (2021) 2 SCC 324*, if both the applications decided, the said amount has to be adjusted or set off.

4.4 Learned counsel for the respondent-wife submits that if the Court considers all the facts and documents on record, in the interim maintenance application filed in the domestic violence proceedings then he has instructions not to press for another maintenance application filed in the divorce proceedings. The statement made by learned counsel for the respondent-wife is accepted. Hence, interim maintenance application filed in divorce proceedings stands disposed of as not pressed.

5. In view of the above, **the Misc. Civil Application stands disposed of.**

(Rajesh S. Patil, J.)