

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CIVIL APPELLATE JURISDICTION****MISCELLANEOUS CIVIL APPLICATION NO. 213 OF 2025**

**HUDA JAVED GITE  
@ HUDA A R GHOLE**

**..... APPLICANT**

**VERSUS**

**JAVED MUSHTAQALI GITE**

**..... RESPONDENT**

Adv. Tejas Pawar a/w. Adv. Suchitra Kamble i/b. Adv. Vishal G. Salvi  
for the Applicant.

**CORAM : RAJESH S. PATIL, J.**

**DATE : 21 NOVEMBER, 2025**

**P.C. :-**

1) By the present proceeding, the applicant, wife of the respondent, is seeking transfer of divorce petition filed by the respondent-husband under the Muslim Personal Law (Shariat) Application Act, 1937, pending before the 4<sup>th</sup> Joint Civil Judge Senior Division, Judicial Magistrate First Class, Vasai, District Thane to the Family Court at Belapur, Navi Mumbai.

2) It is submitted that the applicant has filed DV proceedings before the Judicial Magistrate First Class at Belapur. In the said proceedings, in an interim application, maintenance of Rs.25,000/- per month has been granted. As the said interim maintenance amount

was not paid, the applicant-wife has filed the recovery proceedings. The respondent-husband has challenged the interim maintenance amount granted by the Judicial Magistrate First Class, Belapur to the District Court at Belapur. The respondent is working at Dubai. Therefore, it will not be inconvenient for the respondent if the proceedings are transferred from the Court of Civil Judge Senior Division, Vasai to the Family Court at Belapur. Therefore, for the convenience of the wife, the said divorce proceedings filed by the husband be transferred from Family Court, Vasai to Belapur.

3) Office remark shows that the notice issued to the sole respondent, service report is awaited.

4) Affidavit of service dated 8 November, 2025 has been filed by the applicant. According to the said affidavit of service, the Registered A.D. packet issued to the respondent is returned back with remark 'Intimation Posted'. It is further stated that, the advocate appearing for the respondent in the proceedings before the Judicial Magistrate First Class, Vasai was served through e-mail and so also an attempt has been made to serve the said advocate by hand delivery, which was refused by the said advocate on the ground that he has no instructions to accept the service as he is not appearing in the proceedings before the High Court.

- 5) As a matter of last chance, stand over to **5 December, 2025.**
- 6) *Ad-interim* relief granted earlier, if any, to continue till the next date of the hearing.

**[RAJESH S. PATIL, J.]**