

Sbw

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

MISCELLANEOUS CIVIL APPLICATION NO. 265 OF 2025

Shradha Amar Gosavi

... Applicant

v/s.

Amar Khushalgiri Gosavi

... Respondent

Mr. Amey R. Deshpande for the Applicant.

CORAM : KAMAL KHATA, J.

DATED : 6TH AUGUST 2025.

P.C. :

1. An Order allowing transfer was passed in Court on 28th July 2025. However, upon reconciling the record with the Order, it has been discovered that the Application for restitution that is sought to be transferred, pertains to an application seeking identical relief in Pune Court. The Family Court at Nasik has already decided the Application for Restitution in favour of the Applicant, which the Respondent has failed to comply with. The subsequent Application appears to be a mischievous attempt to secure a contradictory order.

2. In these circumstances, it would not be appropriate to direct a transfer to the Family Court at Nasik. Accordingly, the Order

dictated in Court is recalled and the matter stands adjourned.

3. The Applicant's Advocate submits that he will move an appropriate application before the Family Court, Pune to bring on record the Order of Restitution passed in favour of the Applicant passed by the Family Court, Nasik in the Application No.A-560/2014, as well as the Respondent's continued non-compliance.

4. The Applicant's Advocate further submits that he will also move an application for appearance via Video Conferencing, highlighting any difficulties faced by the Applicant in remaining physically present. The Family Court, Pune shall consider such application on its own merits.

5. The Applicant's Advocate is granted liberty to press this Application by filing an additional affidavit, if necessary.

(KAMAL KHATA, J.)