

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****MISC. CIVIL APPLICATION NO. 439/2025****MADHURI NITIN SAKUNDE****..APPLICANT****VERSUS****NITIN HANUMANT SAKUNDE****..RESPONDENT**

Adv. Sachin Hande i/b. Adv. Akil A. Kupade for the Applicant.

Adv. A. P. Madhuri a/w. Adv. Tanmay Mishra, Adv. Gaurang Pendurkar
for the Respondent.

CORAM : RAJESH S. PATIL, J.**DATE : 9 DECEMBER, 2025****P.C. :-**

1) Ms. Madhuri, learned advocate appears on behalf of the respondent and submits that the respondent is present in Court and she has specific instructions that the present Miscellaneous Civil Application can be allowed.

2) She further submits that earlier the respondent had issued a notice under Section 9 of the Hindu Marriage Act (for the restitution of conjugal rights) to the applicant. However, there was no positive response from the applicant. Therefore, the respondent has filed a divorce proceedings before the Civil Judge Senior Division, Panvel. Subsequently, the respondent also understand that the applicant has

filed a divorce proceeding before the Family Court at Bandra. Since both the parties are seeking divorce, be granted by mutual consent. She has tendered a draft of the mutual consent divorce, a copy of the same is tendered to the learned advocate appearing for the applicant.

3) In view of the statement made by the learned advocate appearing for the respondent, the **Miscellaneous Civil Application stands allowed in terms of prayer clause (a).**

4) The proceeding of Marriage Petition No. 605 of 2025 pending before the Civil Judge Senior Division, Panvel be transferred within four weeks to the Family Court at Bandra and be heard alongwith M.J. Petition No. 1784 of 2025.

5) The hearing of both the petitions is hereby expedited.

6) In view of the draft being exchanged by the advocates, the matter to appear on board on **15 December, 2025** under the caption 'For Directions'.

[RAJESH S. PATIL, J.]