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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 13213 OF 2025  
IN  
MISCELLANEOUS CIVIL APPLICATION NO. 371 OF 2023**

**MUKESH JAYANTILAL JAIN**

**..... APPLICANT**

**VERSUS**

**GITANJALI MUKESH JAIN  
ALIAS GITANJALI SATENDRA SINGH**

**..... RESPONDENT**

Adv. Akshay Shetty i/b. AVC & Associates for the Applicant.

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

**DATE : 18 NOVEMBER, 2025**

**P.C. :-**

**INTERIM APPLICATION NO. 13213 OF 2025**

- 1) This interim application is filed for restoration of the Miscellaneous Civil Application.
- 2) Heard learned advocate appearing for the applicant and I have gone through the contents of the interim application.
- 3) **Interim application stands allowed in terms of prayer clause (a).**
- 4) Miscellaneous Civil Application is immediately taken up for final hearing.

**MISCELLANEOUS CIVIL APPLICATION NO. 371 OF 2023**

5) The present Miscellaneous Civil Application seeks transfer of the Domestic Violence proceedings filed before the Metropolitan Magistrate Court, Andheri to the Family Court at Bandra, Mumbai.

6) I have gone through the copy of the DV proceedings which has been enclosed with the Miscellaneous Civil Application. At page 71, in the first paragraph itself, it has been stated that “The present petition under Sections 12, 16, 17, 18 (a), (b), (c), (e), 19 (a), (b), (d), (f), 20, 21, 22 and 23 of the Protection of Women from Domestic Violence Act, 2005 .....”.

7) Hence, apart from the Sections 18 to 22, relief has also been sought under Sections 16, 17 and 23 of the DV Act. I have already held in case of *Jyoti Abhijeet Kandage vs Abhijeet Narayan Kandage and ors.* in *Miscellaneous Civil Application No. 239 of 2024 order dated 15 September, 2025* that under Section 26 of the DV Act, the Family Court will have jurisdiction to entertain complaint seeking relief under Sections 18 to 22 filed by the aggrieved person (in the present case, the wife). In the present proceedings, it is the husband who is seeking transfer of the DV proceedings and the relief sought by the wife apart from Sections 18 to 22, also seeking relief under Sections 16, 17 and 23 of the DV Act. Therefore, there is no merit in

the present Miscellaneous Civil Application.

8) Hence, the **present Miscellaneous Civil Application stands rejected.**

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