

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 323 OF 2025

Gazia Abubakar Shaikh Alias

Gazia Afroz Ali Sayyed

... Applicant

V/s.

Abubakar Mushtaq Shaikh

... Respondent

Ms. Saili N. Dhuru, Advocate, for the Applicant.

Mr. Harshavardhan Patil i/by Sammer Khan, Advocate, for the Respondent.

CORAM : RAJESH S. PATIL, J.

DATED : 28th January, 2026

P.C.:

1. By the present transfer proceeding Applicant, wife of the respondent is seeking transfer of husband's restitution petition filed before the 5th Joint Civil Judge, Junior Division, Pimpri, Pune, to the Civil Judge, Junior Division at Palghar.

2. Learned Counsel appearing for the Appellant-husband, states that he has instructions from his client to give consent to transfer of the proceedings.

3. In view of the statement made by the learned counsel for the Respondent, on instructions of his client Miscellaneous Civil Application requires to be allowed.
4. **The present Miscellaneous Civil Application stands allowed in terms of prayer clause (a).**
5. The proceedings of R.C.S. No. 149 of 2024 pending before 5th Joint Civil Judge, Junior Division and JMFC, Pimpri, Pune be transferred to Civil Judge, Junior Division, at Palghar within period of four weeks.
6. The Advocate for the applicant is permitted to inform this order to 5th Joint Civil Judge, Junior Division and JMFC, Pimpri, Pune.
7. Similarly, **Registrar (Judicial-I)** is hereby directed to to convey the order passed today to the **5th Joint Civil Judge, Junior Division and JMFC, Pimpri, Pune by E-mail.**
8. The Respondent-husband is permitted to attend the court proceeding before the 5th Joint Civil Judge, Junior Division and JMFC, Pimpri, Pune through video conferencing. However, whenever necessary, as per the directions of the learned Judge taking up the matter, the respondent will have to attend the proceedings in person.

(RAJESH S. PATIL, J.)