

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO.253 OF 2022
WITH
WRIT PETITION NO.1126 OF 2023
WITH
INTERIM APPLICATION NO.8425 OF 2025
IN
WRIT PETITION NO.1126 OF 2023

Sheetal Nilesh Dahanukar ...Applicant

Versus

Nilesh Prushottam Dahanukar ...Respondent

WITH
WRIT PETITION NO.2829 OF 2023
WITH
INTERIM APPLICATION NO.8499 OF 2025
IN
WRIT PETITION NO.2829 OF 2023
WITH
INTERIM APPLICATION NO.3855 OF 2025
IN
WRIT PETITION NO.2829 OF 2023
WITH
INTERIM APPLICATION NO.992 OF 2024
IN
WRIT PETITION NO.2829 OF 2023
WITH
WRIT PETITION NO.12892 OF 2022

Sheetal Nilesh Dahanukar ...Petitioner

Versus

Nilesh Prushottam Dahanukar ...Respondent

WITH

CONTEMPT PETITION NO.663 OF 2024

Sheetal Nilesh Dahanukar

...*Petitioner*

Versus

Nilesh Prushottam Dahanukar

...*Respondent*

.....

Mr. Pritesh Burad a/w Mr. Amey Kanse, Mr. Kaustubh Kachey
i/b. Mr. Pushkar Naik, for the Petitioners in MCA/253/2022,
CWP/2829/2023, WPC/1126/2023, CWP/12892/2022.

Mr. Nitin Gangal a/w Ms. Namita Mestry, Prerna Shukla and
Ms. Prapti Karkera, for the Respondents.

.....

CORAM : MANJUSHA DESHPANDE, J.

DATE : 12th JUNE, 2025

P.C. :-

1. By this Miscellaneous Civil Application, the Applicant is seeking transfer of the Divorce Petition No. A/74/2022, Custody Petition No. D/10/2021, Restitution of Conjugal Rights Application No. A601/2021 pending before the Family Court, Nashik to the Family Court, Thane as well as the Domestic Violence No. 577 of 2021 from the District and Sessions Court, Nashik to the Thane, District and Sessions Court.

2. After hearing the Application for some time, the learned Counsel appearing for the Applicant seeks amendment to the prayer made in the Application, wherein he is seeking leave to amend prayer clause (b) (2). In the said prayer clause, the sentence “Domestic Violence No. 577 of 2021 from the District and Sessions Court, Nashik to be transferred to the Thane, District and Sessions Court” is to be substituted and read as “Domestic Violence No. 577 of 2021 from the District and Sessions Court, Nashik to be transferred to the Family Court, Thane.” He also seeks leave to make averments in the memo of the Application that subsequently filed in the custody Petition, which is pending before the Family Court, Nashik. After hearing the parties for some time, in my opinion, the learned Counsel for the Petitioner requires to satisfy this Court on two issues

(i) When multiple proceedings between the parties are pending, can the party seek transfer of only some of the proceedings among the pending proceedings?

(ii) Whether prayer for transfer of the proceedings can be

transferred after the trial has commenced?

3. The Petitioner to satisfy the Court on the aforesaid two issues.

4. In the meanwhile, the Petitioner shall carry out the amendment within a period of one week from today.

5. List the matter on 20th June, 2025

6. Interim relief, if any, granted earlier shall continue to operate till the next date.

[MANJUSHA DESHPANDE, J.]