

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

MISCELLANEOUS CIVIL APPLICATION NO.185 OF 2014

Sau. Pooja Sandip Tarte Applicant

Vs.

Shri. Sandip Baban Tarte Respondent

Mr. Vivek Salunke, Advocate for the Applicant.
None for the Respondent.

Coram : Smt. R.P. SondurBaldota, J.

Date : 4th March, 2015.

P.C.

1 This application filed under Section 24 of Code of Civil Procedure is for transfer of Hindu Marriage Petition No.224 of 2014 filed by the respondent in the Court of Civil Judge, Senior Division, Ahmednagar to the Court of Civil Judge, Senior Division, Nasik. The notice of the application has been served upon the respondent, who is absent, despite service.

2 The marriage of the parties had taken place on 19th September, 2012. According to the applicant on 13th January, 2014, she was driven out of the house and since then she is residing with her parents at Nasik.

3 The applicant has already filed proceedings under the Protection of Women From Domestic Violence Act, 2005 being Misc. Application No.142 of 2014 at Nasik. Thereafter, the respondent filed proceedings for restitution of conjugal rights in the Court at Ahmednagar. According to the applicant, it is difficult for her to travel from Nasik to Ahmednagar, She also does not have any family member, who can accompany her on each date of the matter. The applicant has annexed copy of the complaint filed by her to the application. Considering the nature of the allegations made in the complaint as also the statements in the application for restitution of conjugal rights and the fact that the applicant has not appeared before the court to controvert the allegations made in the complaint, I am inclined to allow the application. The application is allowed in terms of prayer clause (a).

(Smt. R.P. SondurBaldota, J.)