

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

MISC. CIVIL APPLICATION NO. 178 OF 2014

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Abhijeet Kulkarni i/b D.D. & Abhijeet Asso. for the applicant.

Mr. Suraj Kudalkar for the respondent.

CORAM : K. K. TATED, J.

DATED : 28/10/2015.

PC.:

. Heard learned Counsel for the parties.

2 This Application is filed by wife under section 24 of the Code of Civil Procedure, 1908 for transfer of M. J. Petition No. A-1281 of 2011 filed by the Respondent husband under Section 9 of Hindu Marriage Act, 1955 for restitution of conjugal rights before the Family Court at Bandra, Mumbai to Civil Judge, Senior Division at Latur for hearing and final disposal on its own merits.

3 The learned counsel for the applicant submits that it is very difficult for applicant to attend each and every date of hearing in the Petition filed by the respondent from Latur. He submits that the distance between Latur and Mumbai is more than 500 kms. He submits that applicant has minor child of 8 years

old. He submits that at present the applicant is household wife and she does not have any source of income. She is residing with her brother at Latur. Hence, matter to be transferred to Latur Court for hearing and final disposal on its own merits.

4 On the other hand, the learned counsel for the respondent vehemently opposed the present application. After taking instructions from his client, he makes statement that respondent husband is ready and willing to pay Rs.7500/- by way of cost, whenever the applicant wife attends the hearing at Mumbai in M. J. Petition No. 1281 of 2011.

5 Considering these facts, by consent of both the parties, the following order is passed:

A) The hearing of M. J. Petition No. A-1281 of 2011 filed by Nagesh Shashikant Mangle before the Family Court at Bandra, Mumbai is expedited.

B) Respondent Nagesh Shashikant Mangle to pay Rs.7,500/- to the applicant whenever she attends the matter at Family Court at Bandra, Mumbai on same day.

C) Parties to appear before the Family Court at Bandra on 02.11.2015.

D) Misc. Civil Application stands disposed of accordingly.

(K.K.TATED, J.)