

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

MISC.CIVIL APPLICATION NO. 93 OF 2013

Mrs.Amrapali Singhee	...Applicant
vs.	
Mr.Prakash Kumar Singhee	...Respondent

Mr.Mandar Soman for Applicant.
None for Respondent.

CORAM : S.C. GUPTE, J.

25 JANUARY 2017

P.C. :

Heard learned Counsel for the Applicant. The Respondent is absent despite notice. The Respondent is represented by an Advocate. On the last couple of occasions also, none appeared for the Respondent. There is no reply to the MCA.

2 The MCA seeks transfer of a divorce petition pending before the Family Court at Bandra to the Family Court at Pune. It is the case of the Applicant-wife that her petition was for a restraint order on the Respondent herein for removing their son Aryaman from the custody of the Petitioner and taking him out of Pune. This petition was filed by the Applicant sometime in 22 January 2013. It is the case of the Applicant that she is staying at Pune with her 12 year old son. It is the case of the Applicant that both her parents are very old and their movements are restricted. Considering the peculiar age of the son and attention required of a single mother in respect of both his school work and other activities, the Applicant has to be in Pune all the time. The Applicant does not have any means to travel alone to Mumbai. Besides, it is submitted that the Respondent is

already defending in Pune the Applicant's petition which also pertains to the custody of their son. Some common questions do arise in the two matters. It is submitted that it is in the interests of justice that the pending divorce petition before the Family court at Bandra be transferred to the Family Court at Pune and be heard along with the Applicant's pending petition, namely, PB No.2/2013. It is submitted that the Respondent's monthly income is about Rs.20 lakhs per month. A notice of Annual General Meeting of Shivani Oil & Gas Exploration Ltd., where the Respondent is working as a president, is produced with the MCA.

3 These averments are all uncontroverted by the Respondent.

4 The MCA is allowed in terms of prayer clauses (b) and (c). The Family Court No.1, Pune is directed to hear PA No.500/2013 along with PB No.2/2013.

5 The MCA is disposed of accordingly.

(S.C. Gupta, J.)