

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

MISC. CIVIL APPLICATION (ST) NO.25961 OF 2017

Sayali Rushikesh Patil	...	Applicant
versus		
Rushikesh Hindurao Patil	...	Respondent

Mr. Pramod Pawar, for Applicant.
None for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 29th SEPTEMBER, 2017

P.C.:

1. By the above Misc. Civil Application filed under Section 24 of the Code of Civil Procedure, 1908, the Applicant wife seeks transfer of Petition No.76 of 2017 filed by the Respondent seeking restitution of conjugal rights pending before the Family Court at Kolhapur to the Court of Civil Judge, Sr. Division, Pune.
2. The above Misc. Civil Application is served on the Respondent who has put the following endorsement in writing :

"Received notice on 18th September, 2017 by Speed Post on Kolhapur address and again on 21-09-2017 at Chikli, Pune along with memo of application and documents 25961 of 2017. I am aware about next date that is on 29-09-2017. I do not wish to defend said application."

3. In view thereof, the following order is passed :

(i) The Petition seeking restitution of conjugal rights filed by the Respondent being Petition No.76 of 2017 stands transferred to the Civil Court, Sr. Division, Pune.

(ii) The Family Court at Kolhapur, shall ensure that the papers and proceedings of Petition No.76 of 2017 are received by the Civil Judge, Sr. Division, Pune on or before 11th October, 2017.

(iii) The parties and/or their Advocates shall appear before the Civil Judge, Sr. Division, Pune on 12th October, 2017 and obtain necessary directions.

(iv) The learned Civil Judge, Senior Division, Pune, shall hear and dispose off Petition No.76 of 2017 within a period of six months from the 12th October, 2017.

(v) The Civil Judge, Sr. Division at Pune, shall not grant adjournment/s to the parties unless absolutely necessary. The parties too shall not seek any adjournment/s unless absolutely necessary.

(vi) All contentions of the parties are kept open.

(vii) The above Misc. Civil Application is accordingly disposed off.

(S.J.KATHAWALLA, J.)