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

**MISCELLANEOUS CIVIL APPLICATION (ST) NO.6943 OF
2018**

Trupti Ghule	...	Applicant
V/s.		
Pravin Ashok Ghule	...	Respondent

Mr. M. T.Narvekar, for applicant.
none for respondent

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J

DATE : 4th JULY, 2018.

P.C. :

- 1] Heard learned counsel for the applicant.
- 2] Respondent is absent though duly served.
- 3] This application is filed under Section 24 of the Code of Civil Procedure for transfer of H.M.P. No.240 of 2017, filed by respondent in the Court of Civil Judge Senior Division, Thane to the Court of Civil Judge Senior Division, Barshi, District: Solapur, where Marriage Petition No.82 of 2017, filed by applicant for restitution of conjugal rights is pending
- 4] The applicant is the wife of respondent and she is residing at Wadachiwadi (T.M.), Taluka: Madha, Post Tadawale, District: Solapur. Respondent is a Police Constable and residing at

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Koparkhairane, Navi Mumbai, District: Thane. He has filed HMP No.240 of 2017 in the Court of Civil Judge Senior Division, Thane. It is contended that the distance between Barshi and Thane is about 400 Kms one way and for each and every date she has to travel 800 Kms and it takes more than one day. Hence, she is finding it difficult to attend the Court at Thane. Moreover, considering that the applicant has also filed petition for restitution of conjugal rights and which is pending in the Court of Civil Judge Senior Division, Barshi, it is always desirable that both the petitions that is petition for restitution of conjugal rights and the Marriage Petition filed by respondent be conducted by the same Court so as to avoid conflicting decision.

5] Hence considering the difficulties and inconvenience faced by the applicant, application is allowed.

6] H.M.P. No.240 of 2017 filed by respondent in the Court of Civil Judge Senior Division, Thane, is transferred to the Court of Civil Judge Senior Division, Barshi, District Solapur and to be heard alongwith Marriage Petition No.82 of 2017 filed by the applicant in the said Court for restitution of conjugal rights.

7] The application is disposed off in above terms.

[DR.SHALINI PHANSALKAR-JOSHI, J.]