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

MISCELLANEOUS CIVIL APPLICATION NO.238 OF 2017

Mrs. Snehal Mahesh Pawale
through Shri.Rambhau L.Vaditke ... Applicant.
V/s.
Mahesh Pawale ... Respondent

Mr. Vikram V. Pai, for the applicant

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J

DATE : 2nd JULY, 2018.

P.C. :

- 1] Heard learned counsel for the applicant.
- 2] Respondent is absent though duly served with Court notice as well as private notice.
- 3] This application is filed under Section 24 of the Code of Civil Procedure, for transfer of Marriage Petition No.5 of 2017 filed by respondent in the Court of Civil Judge Senior Division, Kopergaon, District : Ahmednagar, to the Family Court at Nashik.
- 4] The applicant is wife of the respondent. Respondent has filed Marriage petition No.5 of 2017 against the applicant for dissolution of marriage, in the Court at Civil Judge Senior Division, Kopergaon, District: Ahmednagar. The applicant is permanent

resident of Nashik. She has already filed Misc. Application No.166 of 2017 in the Court of Judicial Magistrate First Class, Nashik under the provisions of Domestic Violence Act and also filed another proceeding bearing P.A. No.183 of 2017 in the Family Court at Nashik for restitution of conjugal rights.

5] In view thereof, it is desirable that both the proceeding of divorce and restitution be decided by one and the same Court. Moreover the applicant is finding it difficult for attending the Court at Kopergaon on every date. Hence, in order to avoid conflicting decisions and considering the inconvenience of the applicant the application is allowed.

6] H. M.P. No.5 of 2017 filed by respondent and pending on the file of Civil Judge Senior Division, Kopergaon, District: Ahmednagar is transferred to the Family Court at Nashik, where the proceeding for restitution of conjugal rights filed by applicant bearing P.A. No.183 of 2017 is pending.

7] Application is disposed off in above terms.

[DR.SHALINI PHANSALKAR-JOSHI, J.]