

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 282 OF 2017

Nivedita Mohan Shinde

... Applicant

VS.

Abhinav Arun Salaskar

... Respondent

Mr. Pramod G. Kathane, Advocate for the applicant.

Mr. Bhooshan Mandlik i/b. Mr. Abhijit M. Adagule, Advocate for the respondent.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **2nd April, 2018.**

P.C.:

This Application is moved by the applicant under section 24 of the Code of Civil Procedure for transfer of Marriage Petition No. 34 of 2017 filed by the respondent under section 9 of the Hindu Marriage Act for restitution of conjugal rights in Family Court at Kolhapur to the Court of Civil Judge Senior Division, Sangli where the applicant has filed Regular Civil Suit No. 236 of 2017 for declaration of marriage as null and void.

2. The learned counsel for the applicant submitted that the applicant never got married with the respondent but she was kidnapped on 2nd June, 2016 by the respondent and his friends and her signature was obtained forcibly on some documents. The

respondent is threatening and harassing the applicant, therefore, it is not possible for her to attend the Family Court at Kolhapur where the Petition for restitution of conjugal rights filed by the respondent is pending. The learned counsel further submitted that the applicant has asked for nullity on the ground that the parties are within prohibited degree of relations, as they are sapindas.

3. The learned counsel for the respondent opposed this application.

4. After going through the facts of the case, no sufficient ground is made out for transfer of Marriage Petition No. 34 of 2017 filed by the respondent in Family Court at Kolhapur to the Court of Civil Judge Senior Division, Sangli.

5. Miscellaneous Civil Application is disposed of.

(MRIDULA BHATKAR, J.)