

IN THE HIGH COURT OF BOMBAY AT GOA

TRANSFER APPLICATION NO. 5 OF 2018

SAKSHI KRISHNA NATH GOSAVI., ... Applicant

Versus

KRISHNA MARUTINATH GOSAVI., ... Respondent

Ms. A. Agni, Senior Advocate with Ms. J. Sawaikar, Advocate for the Applicant.
Shri Virendra Parsekar, Advocate under the Legal Aid Scheme for the Respondent.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 28th February 2019

P.C.:

Heard Ms. A. Agni, learned Senior Counsel for the applicant and Shri V. Parsekar, Advocate under the Legal Aid Scheme for the respondent. Besides, i have also perused the reply which primarily details the background of the case and otherwise revealing that the father of the applicant is residing at Rajapur and that she resides with her parents at the said place. It is apparent from the tenor of the application that the applicant has instituted the proceedings under the Domestic Violence Act before the learned JMFC, Valpoi making several allegations of domestic violence against the respondent. On queries, it is also borne out that the applicant is not ready and willing to join the respondent on account of the ill treatment and harassmet meted

out to her.

2. The learned Advocate for the respondent too on queries submits that no maintenance is being paid to her and the proceedings under the Domestic Violence Act are pending before the learned JMFC at Valpoi.

3. Considering that there are no reasonable grounds to oppose the transfer and when it is held by the Hon'ble Apex Court that in a petition filed for separation and/or restoration of conjugal rights, the convenience of the wife has to be taken into consideration, i deem it appropriate to transfer the proceedings in the Hindu Matrimonial Petition No.125 of 2018 from the Court at Islampur to the Court of the Senior Civil Judge, Bicholim.

4. The application accordingly stands disposed off. The parties shall appear before the learned Senior Civil Judge at Bicholim on 25/03/2019 at 10.00 hrs.

NUTAN D. SARDESSAI, J.

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