

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Misc. Civil Application No.329/2017

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. Debajyoti Talukdar for the Applicant

CORAM : K.K.TATED, J.
DATED : JULY 19, 2019

P.C.

1 Heard. None for the Respondent though duly served.

2 This Application is filed by wife under section 24 of the Code of Civil Procedure, 1908 for transfer of HMP No.115/2017 filed by the Respondent husband u/s.9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights before the Civil Judge, Senior Division Solapur to the Family Court, Pune.

3 The learned counsel for the Applicant submits that on the date of marriage, the Applicant was minor. Hence, they filed the complaint with the concerned police station. Thereafter the case was registered against the Respondent. In support of this

contention, he relies on Exhibit-B page 16 of the Civil Application. He submits that it is very difficult for the Applicant to attend the matter on each date.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

5 Hence, following order is passed:

- a. HMP No.115/2017 filed by the Respondent husband u/s.9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights before the Civil Judge, Senior Division Solapur is transferred to the Family Court, Pune for hearing and final disposal on merits.
- b. The Misc. Civil Application stands disposed of accordingly.
- c. No order as to costs.

(K.K.TATED, J.)