

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Misc. Civil Application No.135/2019

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Mr. Pritesh Bohade I/b. Sumant Deshpande for the Applicant

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

P.C.

1 Heard. None for the Respondent though duly served.

2 This court, by order dated 12.06.2019 directed the Registry to issue fresh notice to the Respondent for final disposal at the stage of admission itself. Hence, the matter is taken up for final disposal.

3 By this Application under section 24 of the Code of Civil Procedure, 1908 the Applicant is seeking transfer of Regular Civil Suit No.226/2018 filed by the Respondent husband before the Civil Judge, Senior Division, Shrirampur, Dist. Ahmednagar to the Civil Judge, Senior Division Pune for for hearing and final disposal on merits.

4 The learned counsel for the Applicant submits that the distance between Pune and Shrirampur is more than 200 km. He submits that it is very difficult for the Applicant to travel on each and every date from Pune along with her 3 years old son. He submits that if the matter is not transferred from Shrirampur to Pune, irreparable loss will be caused to the Applicant.

5 Considering the submissions made by the learned counsel for the Applicant and as the distance between Shrirampur and Pune is more than 200 km. and also the Applicant has to travel along with her minor child of 3 years, I am of the opinion that the Applicant has made out a case for allowing the Misc. Civil Application.

6 Hence, following order is passed:

a. Misc. Civil Application is allowed.

b. Regular Civil Suit No.226 of 2018 filed by Respondent husband under section 281 of the Mohammedan Law for restitution of conjugal rights before the Civil Judge, Junior Division at

Shrirampur is transferred to Civil Judge, Junior Division at Pune for hearing and final disposal on its own merits.

c. Misc. Civil Application stands disposed of accordingly.

d. No order as to costs.

(K.K.TATED, J.)