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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. APPLICATION NO.6 OF 2021**

Mrs. Jagruti Rahul Amritkar
@ Jagruti Nandkumar Nankar

.... Applicant.

V/s

Mr. Rahul Tryambak Amritkar

..... Respondent.

Mrs. Sangeeta Salvi for the Applicant.

Ms. Rita K. Joshi a/w Mr. Swapnil Kamble a/w Dr. S.N. Jadhav for the
Respondent.

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 1, 2021

P.C.:-

- 1] Heard respective Counsels for rival parties.

- 2] Proceedings pending in Pune Court are sought to be transferred to Nashik Court. The ground of hardship is pressed into service by the learned Counsel for the Applicant so as to substantiate the claim for transfer. The learned Counsel submits that even otherwise in the proceedings which are initiated by the Applicant for maintenance, non-applicant is attending at Nashik and that being so both the matters can be clubbed together by allowing the Application in terms of prayer clause (a).

3] The learned Counsel for the non-applicant opposed the prayer on the ground that distance between two Cities wont call for any overnight transfer. According to her, hardship is without any legal basis so as to make it convenient for Applicant to attend the proceedings in Pune. The learned Counsel for the Applicant informs on instructions that on each day non-applicant shall pay towards conveyance charges and out of pocket expenses, an amount of Rs 2000/- to the Applicant.

4] Since the statement is made on instructions, same is accepted as undertaking to this Court.

5] As such, Application stands disposed of with the following order:-

ORDER

(i) Non-applicant shall deposit an amount of Rs 5000/- with the Court at Pune in proceedings being M. Petition No. 296 of 2019 pending on the file of Civil Judge, Senior Division, Pune. On each date when the Applicant will be required to attend the said proceeding physically, Applicant shall be

entitled to draw an amount of Rs 2,000/- from the Non-applicant.

(ii) It shall be the duty of Non-applicant to maintain the deposit of Rs 5000/- with the said Court till final disposal of the said proceedings.

(iii) Application stands disposed of in the aforesaid terms.

(NITIN W. SAMBRE, J.)