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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

MISC. CIVIL APPLICATION NO. 41 OF 2020

SOU. ISHA SANTOSH KHABIYA

....APPLICANT

V/s.

SHRI. SANTOSH HARAKCHAND
KHABIYA AND ANR

.....RESPONDENTS

Mr. Balwant V. Salunkhe for the applicant

CORAM : NITIN W. SAMBRE, J.

DATE: AUGUST 17, 2021.

P.C.:

1] Though served, none appears for the non-applicant husband and father-in-law.

2] Proceedings under Domestic Violence Act initiated by the applicant which are duly attended by the non-applicant at Kavthemhankal where transfer of the suit is sought.

3] Respondents have filed two separate suits being 21/2018 and 254/2019 for specific performance in relation to very same property

which speaks of the very intention of the non-applicants. Contention alleged in the application are not controverted by non-applicants though served.

4] In the aforesaid background, considering the hardship in travelling and pendency of other proceedings, in my opinion case for consideration is made out.

5] Application is allowed in terms of prayer clause (a) which reads thus:

“a. This Hon’ble Court may be pleased to transfer the Regular Civil Suit bearing No. 21 of 2018 and Regular Civil Suit bearing No. 254 of 2019 pending before the Ld. Civil Judge Junior Division at Ghodnadi (Shirur) Dist. Pune to the Court of Civil Judge, Junior Division, Kavthemhankal, District: Sangli”.

[NITIN W. SAMBRE, J.]