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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO. 84 OF 2021**

Mrs. Karuna Gotiram Avhad and Anr.

....Applicants.

V/s

Mr. Gotiram Prakash Avhad

..... Respondent

Ms. Monali M. Patil for the Applicants.

CORAM: NITIN W. SAMBRE, J.

DATE: AUGUST 04, 2021

P.C.:-

1] Point of hardship is pressed by Applicant No.1 in support of transfer of Hindu Marriage Petition No. 405 of 2019 initiated under Section 9 of the Hindu Marriage Act for restitution of conjugal rights. Applicant No.1 is a custodian of a minor son. It is claimed in the application that non-applicant is working in Mumbai as he is employed with Mazgaon Dock Limited which contention is not controverted by the non-applicant by appearing before this Court, as he has chosen not to appear, though served.

2] The issue of hardship is established in favour of the Applicant

No.1. That being so, Application is allowed in terms of prayer clause 9(a) which reads as under:-

“a) This Hon’ble Court be pleased to transfer Marriage Petition A. No.405 of 2019 filed by the Respondent Husband in the Court of Learned Civil Judge Senior Division Nashik to the Court of Learned Civil Judge Senior Division at Vasai.”

(NITIN W. SAMBRE, J.)

Corrected as per order dated 11/08/2021.