

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

947 MISC.CIVIL APPLICATION NO.73 OF 2021

VAISHNAVI TUKARAM KATKAR
VERSUS
TUKARAM RAGHUNATH KATKAR

...

Mr. Y.H. Lagad, Advocate holding for Mr. R.R. Karpe, Advocate
for the applicant.

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 07.10.2022.

ORDER:-

1. Heard learned Counsel for the applicant – wife. The respondent - husband, though served with final disposal notice, remained absent.

2. The applicant is seeking transfer of HMP No.116/2020 filed by her husband in the Court of Civil Judge, Senior Division, Jalna for restitution of conjugal rights, to the Court of Civil Judge, Senior Division, Shrirampur, District Ahmednagar. According to the applicant-wife, she is not having any elder member in the family, and therefore, it is difficult for her to travel from Shrirampur to Jalna which is approximately 160 kms away. On the contrary, the respondent-husband is having substantial income and he can very well attend the dates of aforesaid proceeding, if

transferred to Shrirampur. There is no oppose to the application by the respondent, who preferred to remain absent despite service. As such, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) The Hindu Marriage Petition No. 116/2020 pending in the Court of Civil Judge (Senior Division), Jalna is transferred to the Court of Civil Judge (Senior Division), Shrirampur, District Ahemadnagar for disposal according to law.
- (iii) The respondent is directed to appear before Civil Judge (Senior Division), Shrirampur on 14th November 2022.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)