

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

1004 MISC.CIVIL APPLICATION NO.107 OF 2022

JAYSHREE DINESH BORKAR
VERSUS
DINESH SADASHIV BORKAR

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Advocate for Applicant : Ms. Pallavi P. Wangikar h/f Mr. R. V. Gore

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 20/10/2022.**

P. C. :

1. Heard learned ounsel appearing for the applicant – wife. The respondent husband, though served but remained absent.

2. The applicant – wife is seeking transfer of Petition A No. 1250 of 2021 pending in Family Court No.4, Nagpur filed by respondent - husband for restitution of conjugal rights to the Family Court, Aurangabad. According to the applicant-wife, she is residing at Aurangabad, which is 500 kms away from Nagpur. Moreover, she has also filed two proceedings against the respondent at Aurangabad. One is petition for getting maintenance under Section 125 of Cr.P.C. bearing Petition E. No. 210 of 2021 before Family Court, Aurangabad and the other is PWDVA No.774 of 2021 before the concerned Magistrate, Aurangabad under the provisions of Domestic Violence Act against respondent. The respondent is yet to appear in both the proceedings. Therefore, considering the convenience of applicant, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) The Petition A.No.1250 of 2021 pending in Family Court No.4, Nagpur is transferred to the Family Court Aurangabad for disposal according to law.
- (iii) The respondent is directed to appear before Family Court, Aurangabad on 28/11/2022.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)