

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

974 MISC.CIVIL APPLICATION NO.172 OF 2019

**GAYATRI KRUSHNA AHER
VERSUS
KRUSHNA DHARMARAJ AHER**

...
Advocate for Applicant : Mr.Kanawade Ajay T.
Advocate for Respondent : Mr.M.D. Narwadkar
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 08.12.2022.

PER COURT :

1. Heard rival submissions.
2. The applicant is seeking transfer of petition No. A-319 of 2018 filed by the respondent husband for restitution of conjugal rights, from the Family Court Aurangabad to Family Court Pune.
3. The learned counsel for the applicant submits that the applicant wife is not having any independent source of income and moreover, she has to maintain two daughters and one son, for which no maintenance is provided by the respondent husband. Further, the distance between the Aurangabad and Pune is of 240 k.m. and therefore, it would be highly difficult for the applicant to attend the dates at Aurangabad. The learned counsel for the applicant also pointed out that the applicant has filed proceedings under the

provisions of Protection of Women from Domestic Act at Pimpri-Chinchawad, Pune, wherein, the respondent husband is yet to appear.

4. On the contrary, the learned counsel for the respondent husband strongly opposed the application on the ground that the respondent is ready to bear the expenses of traveling of the applicant to Pune.

5. However, it is to be noted that the applicant wife is not having any source of income. Further she is maintaining three children without any monetary help from the respondent. Considering the distance of 240 k.m. between Pune and Aurangabad it would be highly difficult for the applicant to attend the dates at Aurangabad, even though certain expenses are provided by the respondent husband. In view of the same and considering the convenience of the applicant wife following order is passed :

ORDER

- i) The application is hereby allowed.
- ii) The Marriage Petition No. A-319 of 2018 pending in the Family Court Aurangabad is hereby transferred to the Family Court, Pune for its disposal according to law.
- iii) The respondent is directed to appear before the Family Court, Pune in the aforesaid

petition after its transfer on 25.01.2023.

iv) Application accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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