

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 148 OF 2022

Harjinder Singh Babara

.. Applicant

Versus

Renu Harjinder Singh

.. Respondent

- Mr. Bhavesh C. Sawant i/by Jaiwant S. Chandnani Associates for
Applicant

CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 02, 2022.

P.C.:

1. Heard Mr. Sawant, learned Advocate appearing for Applicant.

2. Though Respondent is represented by Advocate none appears for him today. Affidavit-in-reply has not been filed.

3. Parties got married on 21.04.2007. The Applicant has prayed for the following relief:

“(a) That this Honourable Court be pleased to transfer Petition No. A 398 of 2020 from Hon’ble Family Court at Nashik to Civil Judge Senior Division Pune, at Pune, and Petition E no. 86 of 2021 from Hon’ble Family Court to Judicial Magistrate First Class Morwadi, At Pimpri.”

4. Applicant and Respondent are both residing at Plot No.209, Sector No. 24, Pradhikaran, Nigdi, Pune under the same roof. Record indicates that they have two children aged 13 and 11 years. Record further indicates that proceeding under Section 125 of the Code of

Criminal Procedure, 1973 has been filed by Respondent at Nashik.

5. Perused the grounds of hardship in the Application which reads as under:-

- “5. The Petitioner says that the pursuant to the said Marriage, the Respondent started residing with the Petitioner.
6. The Petitioner says that the Respondent immediately after the marriage, started picking up quarrels with the Respondent on minute things and there was unnecessary interference by Respondent’s mother in Petitioner’s family.
8. The Petitioner says that the out of the said wedlock, the petitioner and Respondent gave birth to daughters.
9. The Petitioner says that the Petitioner was made to go through a lot of mental agony and harassment and was under a lot of pressure. The Petitioner was however sacrificing and was continuing the marriage between the parties, so that the life of the daughters does not suffers.”

6. It would be prudent in the interest of the parties if both proceedings pending at Nashik are transferred to the Civil Judge Senior Division, Pune and heard together.

7. In view of the above, the present Misc. Civil Application is allowed in terms of prayer clause (a) above.

“(a) That this Honourable Court be pleased to transfer Petition No. A 398 of 2020 from Hon’ble Family Court at Nashik to Civil Judge Senior Division Pune, at Pune, and Petition E no. 86 of 2021 from Hon’ble Family Court Nashik to Judicial Magistrate First Class Morwadi, at Pimpri.”

[MILIND N. JADHAV, J.]

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