

R.M. Amberkar

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

**CIVIL APPELLATE JURISDICTION**

**MISC. CIVIL APPLICATION NO. 110 OF 2021**

Veena Sagar Ingale

.. Applicant

**Versus**

Sagar Ganapati Ingale

.. Respondent

.....

Mr. Sandeep Waghmare i/by Mr. Santosh Kale for the Applicant

Ms. Jagruti Vemula i/by Mr. Kishor Ajetrao for Respondent

.....

**CORAM : MILIND N. JADHAV, J.**

**DATE : 25<sup>th</sup> November, 2022.**

**P.C.:**

. Heard.

2. Parties got married on 04.05.2017. Respondent – husband initiated proceedings for restitution of conjugal rights pending on the file of Civil Judge Senior Division, Gadhinglaj, District Kolhapur of which transfer is sought by Applicant to Civil Judge Senior Division at Kalyan, Dist. Thane, where she resides. Respondent is a doctor.

3. Perused the grounds of hardship pressed in paragraph Nos. 7A to 7H of the Application. There is one minor child named Devika aged 3 & 1/2 years who is in the custody and care of Applicant. Applicant is unemployed and residing at Kalyan, District Thane along with her old aged parents. As Applicant – wife will be required to travel from Kalyan, District Thane to Kolhapur to attend the

proceedings, it will cause prejudice and hardship to her.

4. In view of the above, in my opinion, ground of hardship has to be considered in favour of the Applicant. As such, Application is allowed and disposed of in terms of prayer clause (B) which reads as under:-

*“B. That by an order of this Hon’ble Court the record and proceedings of Hindu Marriage Petition No. 52 of 2021 filed by the Respondent may be pleased to transfer to the jurisdiction of Civil Judge Senior Division at Kalyan, District Thane.”*

[ MILIND N. JADHAV, J. ]

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MOHAN  
AMBERKAR  
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signed by  
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