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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO. 256 OF 2021**

Mrs. Rani @ Pooja Anil MaratheApplicant.
V/s
Mr. Anil Janardan MaratheRespondent

Mr Ramji T. Kotali for the Applicant.
None for the Respondent.

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 22, 2022

P.C.:-

- 1] Leave to amend. Amendment be carried out forthwith.

- 2] Though served, none appears for the non-applicant.

- 3] It is informed that at the behest of Applicant-wife, already proceedings under Section 125 of Cr.P.C. being Petition E No.34 of 2017 are pending on the file of Family Court, Pune. It is further informed that proceedings for restitution of conjugal rights which were initiated are withdrawn, whereas proceedings for divorce initiated by the non-applicant are pending on the file of Family Court, Ahmednagar. My attention is invited to the fact that the Applicant-wife is a custodian of minor child.

- 4] In the aforesaid backdrop, to avoid recording of overlapping

findings on the same set of facts and evidence and considering hardship which Applicant will suffer who is a custodian of minor child and also the fact that contentions in the Application are not controverted, Application is allowed in terms of prayer clause (a) which reads as under:-

“a. This Hon’ble Court be pleased to transfer the Marriage Petition bearing A No.26 of 2021 pending in the file of Ld. Family Court, Ahamadnagar at Ahamadnagar to the file of Ld. Family Court, Pune, Dist.- Pune for further proceeding and hearing in the matter accordingly.”

5] Application is disposed of.

(NITIN W. SAMBRE, J.)