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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO. 157 OF 2021**

Mrs. Shraddha Pratik Shinde . . . Applicant.
V/s
Mr. Pratik Dinkar Shinde Respondent

Mr. Raviraj S. Gamare i/b Surekha Surve for the Applicant.
None for the Respondent.

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 22, 2022

P.C.:-

- 1] Though served, none appears for the Respondent-husband.
- 2] Applicant-wife got married with the Respondent-husband on 12/5/2019. She initiated D.V. Act proceedings against the Respondent-husband which are pending on the file of Magistrate's Court Mumbai since 2019.
- 3] Respondent-husband appears to have initiated proceedings in the Court of Civil Judge, Senior Division, Ahmednagar under Section 9 of the Hindu Marriage Act for restitution of conjugal rights.
- 4] Since in both these proceedings nature of evidence and pleadings are similar, there is every likelihood that two different Court may record overlapping findings. Apart from above, facts remains that Applicant-wife will suffer hardship if she is made to travel to attend

the proceedings initiated by the Respondent-husband. Contentions in the Application are also not controverted.

5] In the aforesaid background, Application is allowed in terms of prayer clause (a) and accordingly Hindu Marriage Petition No.199 of 2021 pending on the file of Civil Judge, Senior Division, Ahmednagar is directed to be transferred to the Family Court, Bandra, Mumbai.

6] Application is disposed of.

(**NITIN W. SAMBRE, J.)**