

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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MISC. CIVIL APPLICATION NO.215 OF 2021

Mrs. Tejaswini Vaibhav Patil and Anr. ..Applicants

Versus

Mr. Vaibhav Balasaheb Patil ..Respondent

Mr. Rushikesh G. Patil, for the Applicants.

None for the Respondent.

CORAM : NITIN W. SAMBRE, J.

DATE : 8th FEBRUARY, 2022

PC.

1. After matrimonial discord, the applicant No.1 wife is required to stay with her parents along-with applicant No.2/son.

2. The transfer of the proceedings is sought on the ground that the proceedings for restitution of conjugal rights under Section 9 of the Hindu Marriage Act are pending on the file of learned Civil Judge Senior Division, Islampur, District Sangli. In the aforesaid background, prayer for transfer is made.

3. One way distance between the two places i.e. the place where non-applicant has initiated proceedings and the place where transfer of the proceedings is sought i.e. learned Civil Judge Senior Division, Islampur is informed to be about 550 kilometers. The applicant is custodian of applicant No.2/a minor son. That being so,

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the issue of hardship is well established.

4. As such, application is allowed in terms of prayer clause (a).

5. Learned Civil Judge Senior Division, Islampur, District Sangli is requested to decide both the matters together.

[NITIN W. SAMBRE, J.]