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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 259 OF 2021

POOJA ABHIJEET DHANSHETTIAPPLICANT
@ MISS POOJA SURESH SHINDE

V/s.

ABHIJIT SUDHAKAR DHANSHETTIRESPONDENT

Ms. Rekha Musale Advocate Advocate for the Applicant

CORAM : NITIN W. SAMBRE, J.

DATE: FEBRUARY 28, 2022.

P.C.:

- 1) Heard learned counsel for the Applicant.
- 2) Applicant is custodian of two small children of one year and two years respectively.
- 3) After matrimonial discord, I am informed that non-applicant is facing prosecution for offence punishable under Sections 498(A), 323, 354A r/w 34 of Indian Penal Code.
- 4) The claim for restitution of conjugal rights initiated by the non-

applicant under Section 9 of Hindu Marriage Act is pending on the file of Civil Judge Senior Division, Pune of which transfer is sought to Family Court, Bandra.

5) In the aforesaid background, after having appreciated hardship which the Applicant will suffer being custodian of two small children, if she is made to travel from Pune to Bandra, same stands established.

6) In that view of the matter, Application is allowed in terms of prayer clause (b) which reads thus:

“Be pleased to transfer the Papers and proceedings of the Marriage Petition No. 1570 of 2021 pending before the learned Civil Judge Senior Division, Pune, be directed to be transferred to Hon’ble Family Court, Bandra and tried accordingly.”

[NITIN W. SAMBRE, J.]