

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

MISC. CIVIL APPLICATION NO.263 OF 2021

Mrs. Poonam Suhas Jagtap

..Applicant

Versus

Suhas Namdeo Jagtap

..Respondent

Mr. Rahul S. Kadam, for the Applicant.

CORAM : NITIN W. SAMBRE, J.

DATE : 4th APRIL, 2022

PC.

1. Mr. Rahul Kadam informs that the non-applicant is served by speed post, so also the notice is served on the lawyer appearing for the non-applicant before the Trial Court. He has already tendered affidavit of service. The non-applicant has already filed reply to the present application duly sworn on 3rd February, 2022.

2. In the aforesaid background, if this Court appreciates contentions, from which it can be noticed that marriage between the parties was solemnized on 20th November, 2019.

3. After discord, Marriage Petition No.919 of 2021 is initiated and pending on the file of Civil Judge, Senior Division, Thane for dissolution of marriage by respondent. It is claimed by

the applicant that she has initiated proceedings being Marriage Petition No.620 of 2021 for restitution of conjugal rights which are pending on the file of Civil Judge, Senior Division, Baramati. As such, the proceedings initiated by the non-applicant are sought to be transferred to the Court of Civil Judge, Senior Division, Baramati on the ground of hardship considering the distance. My attention is also invited that the applicant is not getting any maintenance from the non-applicant.

4. In the aforesaid background, considering the hardship which the applicant will suffer, in case, if she is made to travel to attend proceedings initiated by the non-applicant at Thane, it will be appropriate, in my opinion, to allow application in terms of prayer clause (A).

[NITIN W. SAMBRE, J.]