

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

VAISHALI
ANIL
TIKAM

CIVIL APPELLATE JURISDICTION

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MISC. CIVIL APPLICATION No. 250 OF 2021

Savita Navnath Dalvi

...Applicant

V/s.

Mr. Navnath Tanaji Dalvi

...Respondent

Mr. Anup Lahoti, Advocate for the Applicant

CORAM : SANDEEP K. SHINDE, J.**FRIDAY, 30TH SEPTEMBER, 2022.****P.C. :**

1. Heard learned counsel for the Applicant. None appears for the non-applicant, although duly served.
2. This application under Section 24 of the Code of Civil Procedure, seeks transfer of Hindu Marriage Petition No. 262/2020 filed by the Respondent -Husband from Court of Civil Judge, Senior Division, Satara to the Court of Civil Judge, Senior Division, Pune. The Applicant states that the non-applicant is permanent employee of Tata Motors working at Pune. It is so stated in paragraph 2 of the application. Further it is stated that the Applicant and the non-applicant are residing in one flat at Nigadi-Pradhikaran , at Pune.

3. In consideration of these facts, it is not known as to why the non-applicant filed the petition for restitution of conjugal rights at Satara. As such since the averments made in application, have not been controverted, I am left with no option but to accept, the case of the applicant. For all these reasons, the application is allowed. Thus, the following order:

ORDER

- (i) Hindu Marriage Petition No. 262 of 2022 pending in the Court of Civil Judge, Senior Division, Satara stands transferred to the Court of Civil Judge, Senior Division, Pune.
- (ii) The Registry, Civil Judge, Senior Division, Satara shall ensure the Petition No. 262/2020 and all proceedings therein are transferred to the Court of Civil Judge, Senior Division, Pune.
- (iii) Parties to the application shall mark their appearance before the Civil Judge, Senior Division, Pune on 21st October, 2022.
- (iv) Application is allowed and disposed of in the above terms.

(SANDEEP K. SHINDE, J.)