

R.M. Amberkar

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

MISC. CIVIL APPLICATION NO. 21 OF 2022

Poonam Pandurang Hondkar

.. Applicant

Versus

Pandurng Shrihari Hondkar

.. Respondent

.....

Mr. Nagesh Y. Chavan for Applicant

Mr. Dnyaneshwar Kale for Respondent

.....

CORAM : MILIND N. JADHAV, J.

DATE : 25th November, 2022.

P.C.:

. Heard.

2. Though served and represented by Advocate, no reply has been filed by Respondent-Husband.

3. Parties got married on 27.02.2020. Respondent – husband initiated proceedings for restitution of conjugal rights pending on the file of Civil Judge Senior Division, Ambajogai of which transfer is sought by Applicant to Family Court, Sangli, where she resides. Applicant has filed proceedings for divorce before Family Court, Sangli being Petition No. A-134 of 2021. Domestic Violence Act proceedings are also pending in Sanli.

4. Perused the grounds of hardship which are pressed in paragraph Nos. 5 and 6 of the Application. As Applicant – wife will be required to travel from Sangli to Ambajogai to attend the

proceedings, it will cause prejudice and hardship to her.

5. Since the contentions are not controverted, in my opinion, ground of hardship has to be considered in favour of the Applicant, as one way distance between Ambajogai and Sangli is 330 kilometers.

6. As such, Application is allowed and disposed of in terms of prayer clause (a) which reads as under:-

“a. This Hon’ble Court may be pleased to transfer the Hindu Marriage Petition No. 99 of 2021 pending before the Ld. C.J.S.D. Ambajogai, District Beed to the Ld. Family Court at Sangli and also be pleased to tag the Hindu Marriage Petition No. 99 of 2021 along with the Petition A-134 of 2021 pending before the Ld. Family Court at Sangli.”

[MILIND N. JADHAV, J.]

RAVINDRA
MOHAN
AMBERKAR
Digitally
signed by
RAVINDRA
MOHAN
AMBERKAR
Date:
2022.11.25
20:39:38
+0530