

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

986 MISCELLANEOUS CIVIL APPLICATION NO.28 OF 2023

Rekha Santosh Umbarkar,
Age : 36 years, Occ. : Household,
R/o. : C/o. - Shri. Shravan Madhav Wankhede,
Ashok Samrat Nagar, Patilwadi,
Jamner, Tq. Jamner, Dist. Jalgaon ... **APPLICANT**

VERSUS

Santosh Dnyaneshwar Umbarkar,
Age : 38 years, Occ. : Pvt. Service,
R/o. : Ashok Samrat Nagar, Patilwadi,
Jamner, Tq. Jamner, Dist. Jalgaon
At present 102, New Kailas Co. Op.
HSG Society, near Kalimata Temple,
Kolsewadi, Kalyan (East),
Tq. Kalyan, Dist. Thane ... **RESPONDENT**

...
Mr. P.P. Giri – Advocate for Applicant

....

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 30th June, 2023

PER COURT :

1. Heard learned Counsel for the applicant. The respondent despite service remained absent.

2. The applicant – wife is seeking transfer of Marriage Petition No. 1616 of 2021 pending in the Court of C.J.S.D.,

Kalyan filed by respondent – husband for restitution of conjugal rights, to the Court of C.J.S.D., Jalgaon.

3. According to the applicant – wife, she is not having independent source of income and presently maintaining eight years old son without any financial support of respondent – husband. The distance between Kalyan and Jagaon is around 400 Kilometers. As such, it seems difficult for her to attend the dates at Kalyan. Moreover, she has also filed proceedings under P.W.D.V. Act and Section 125 of Cr.P.C. against the respondent – husband at Jamner, Dist. Jalgaon.

4. There is no oppose to the application. Further, respondent – husband will have to attend the dates at Jamner, Dist. Jalgaon in the aforesaid proceedings filed by the applicant – wife. Therefore, considering the convenience of applicant, following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) Marriage Petition No. 1616 of 2021 pending
in the Court of Civil Judge Senior Division,

Kalyan, Dist. Thane is transferred to the
Court of Civil Judge Senior Division,
Jalgaon for disposal according to law.

- (iii) The respondent is directed to appear before
the Court of Civil Judge Senior Division,
Jalgaon on or before 15th July, 2023.
- (iv) The application is disposed of accordingly.

[SANDIPKUMAR C. MORE]
JUDGE