

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

975 MISC.CIVIL APPLICATION NO.91 OF 2021

**JYOSTNA NILESH AHIRGAWALI
VERSUS
NILESH SATISH AHIRGAWALI**

...
Mr. Harshal Randhir, Advocate for the applicant.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 02.02.2023.

ORDER:-

1. Heard learned Counsel for the applicant. The respondent, despite service, remained absent.
2. The applicant – wife is seeking transfer of HMP No. 241/2019 filed by respondent - husband for restitution of conjugal rights, from the Court of learned Civil Judge (Senior Division), Ahmednagar to the learned Family Court, Pune.
3. According to the applicant-wife, she is not having any independent source of income and also having one 5 years old son to look after. As such, it would be difficult for her to attend the dates at Ahmednagar. Moreover, she has also filed proceeding under Section 125 of Cr.P.C. against the respondent husband in Family Court, Pune, wherein the respondent - husband has already appeared. As such,

considering the convenience of applicant-wife, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) HMP No.241/2019 pending in the Court of Civil Judge (Senior Division), Ahmednagar is transferred to the Family Court, Pune for it's disposal according to law.
- (iii) The respondent is directed to appear before the learned Family Court, Pune on or before 1st March 2023.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)