

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

969 MISCELLANEOUS CIVIL APPLICATION NO. 74 OF 2023

ALKA HARSHAL LONE
VERSUS
HARSHAL UTTAMRAO LONE

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Mr. V.M. Vibhute – Advocate for Applicant
Mr. M.V. Thorat – Advocate for Respondent

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 21st July, 2023

PER COURT :

1. Heard rival submissions.
2. Leave to correct prayer clauses 'B' and 'C' by mentioning Senior Division, Nanded instead of Junior Division, Nanded.
3. The applicant – wife is seeking transfer of Marriage Petition No. 166 of 2022 pending in the Court of C.J.S.D., Nanded filed by respondent – husband for restitution of conjugal rights, to the Family Court, Parbhani.
4. According to the applicant – wife, she is working from home i.e. from Parbhani from reputed company at Pune.

Further, her parents are also residing at Parbhani and therefore, if the aforesaid petition is transferred to Parbhani then it would be convenient for her.

5. On the contrary, the learned Counsel for the respondent – husband strongly opposed the application on the ground that, applicant is getting monthly salary around Rs.60,000/-. Further, there is no issue from the aforesaid wedlock. As such, the applicant being an educated lady, having habit of travelling, can attend the dates at Nanded.

6. Admittedly, the applicant is getting handsome salary and since last three years she is working from home. Considering the financial status of the applicant – wife and comparatively short distance between Nanded and Parbhani of 100 Kilometers, it is difficult to believe that she would face hardship, if she is asked to attend the dates at Nanded. Further, it is submitted by the learned Counsel for the respondent that, the petition at Nanded is at part heard stage and can be disposed off as early as possible. The learned Counsel for the respondent – husband also submitted that,

the respondent is ready to bear the conveyance charges of the applicant in attending the dates at Nanded. Considering all these aspects, following order is passed :

ORDER

- (i) The application is hereby rejected. However, the respondent – husband is directed to pay amount of Rs.1,500/- to the applicant on each date, she attends the date at Nanded. Such amount be deposited in the concerned Court at Nanded.
- (ii) The Civil Judge Senior Division, Nanded is directed to disposed of the aforesaid petition as early as possible and the parties shall not asked for unnecessary adjournments.
- (ii) The application is disposed of accordingly.

**[SANDIPKUMAR C. MORE]
JUDGE**