

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

MISC. CIVIL APPLICATION NO.87 OF 2023

Neha w/o Avadhut Chaudhari,
age: 35 years, Occ: Service,
R/o House No. 1975, Lane No.6,
Jaiprakash Chowk, Dhule,
Tq. & District Dhule.

Applicant

Versus

Avadhut s/o Dipakrao Chaudhari,
age: 36 years, Occ: Service,
R/o Sai Shanti, Shriram Society,
Indapur, Tq. Indapur, District Pune.

Respondent

Mr. Sanket N. Suryawanshi, advocate for the Applicant
Respondent is served.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 07th July, 2023.

JUDGMENT:

- 1 Heard learned Counsel for the applicant.
- 2 The respondent, despite service, remained absent.
- 3 The applicant-wife is seeking transfer of HMP No.

189 of 2022, filed by the respondent-husband for restitution of conjugal rights, from the Court of Civil Judge, Senior Division, Baramati, to the Family Court at Dhule.

4 According to the applicant, she is not having any independent source of income. Moreover, she is looking after one two years aged daughter without any financial assistance from the respondent. Further, she has also filed three proceedings at Dhule namely, prosecution under Section 498A of the Indian Penal Code; proceeding for getting maintenance under Section 18 of the Hindu Adoption and Maintenance Act; and proceedings under the provisions of Protection of Women from Domestic Violence Act, 2005, against the respondent.

5 There is no oppose to this application. Since the respondent will have to attend the dates at Dhule in the proceedings filed by the applicant-wife, following order is passed:

{i} Misc. Civil Application is allowed.

{ii} Hindu Marriage Petition No. 189 of 2022 is hereby transferred from the Court of Civil Judge, Senior Division, Baramati to the Family Court at Dhule, for disposal according to law.

{iii} The Respondent is directed to appear before the Family Court at Dhule, on or before 1st August, 2023.

{iv} Misc. Civil Application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb