

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

966 MISC.CIVIL APPLICATION NO.166 OF 2023

RUBINA PARVIN KHALEK PATHAN
VERSUS
PATHAN KHELEK PATHAN DADA

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Ms. Pratibha Suryawanshi, Advocate for the applicant.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 18th August 2023.

ORDER:-

1. Heard learned Counsel for the applicant – wife. The respondent husband, though served, but remained absent.
2. The applicant – wife is seeking transfer of Petition A No.107/2022 pending in the Family Court, Beed filed by respondent - husband for restitution of conjugal rights, to the Court of Civil Judge (Senior Division), Hingoli.
3. According to the applicant-wife, she is not having any independent source of income. Moreover, she has also filed criminal prosecution under Section 498-A of Indian Penal Code against the respondent – husband and his family members. Besides, she has also filed proceeding against the respondent under the provisions of Protection of Women from Domestic Violence Act wherein respondent is yet to appear. There is no oppose to the present application. Further, the

respondent will have to attend the dates at Hingoli in the proceedings filed by the applicant. As such, considering the convenience of applicant, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) Petition A.No.107/2022 pending in the Family Court, Beed is transferred to the Court of Civil Judge (Senior Division), Hingoli for disposal according to law.
- (iii) The respondent is directed to appear before the learned Civil Judge (Senior Division), Hingoli on or before 15.09.2023.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)