

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

991 MISC.CIVIL APPLICATION NO.243 OF 2022

MANGAL RAJENDRA JADHAV
VERSUS
RAJENDRA ANNASAHEB JADHAV

...
Advocate for Applicant : Mr. K. N. Shermale

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 05/01/2023.

P. C. :

1. Heard learned counsel for the applicant. The respondent husband though served, but remained absent.
2. The applicant is seeking transfer of HMP No.22 of 2022 filed by the respondent husband for restitution of conjugal rights from the court of CJSD, Ahmednagar to the Court of CJSD, Sangamner. Though it is inter-district transfer but the powers under Section 24 can be exercised either by District Court or High Court. Moreover, the Lokpanchyat Sanstha, who has made arrangement for residence of the applicant, is also not having any legal assistance at Ahmednagar.
3. It appears that the applicant is not having any independent source of income and therefore, constrained to reside under the shelter of this Lokpanchyat Sanstha at Sangamner. Thus, it seems highly difficult for her to attend the dates at Ahmednagar.
4. As such, considering all these aspects and the convenience of the applicant wife, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) The HMP NO. 22 of 2022, pending in Court of CJSD, Ahmednagar is transferred to the Court of CJSD, Sangamner, District Ahmednagar for disposal according to law.
- (iii) The respondent is directed to appear before CJSD, Sangamner on or before 01/02/2023.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)