

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISCELLANEOUS CIVIL APPLICATION NO. 253 OF 2022

TARANNUM BEGUM SHAIKH USMAN AND ANOTHER
VERSUS
SHAIKH USMAN SHAIKH JABBAR

...
Mr. Shaikh Tarek Mobin H. - Advocate for Applicants

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 27th April, 2023

PER COURT :

1. Heard learned Counsel for the applicant – wife. The respondent – husband though served as per order dated 20th April, 2023 of this Court but remained absent.

2. The applicant – wife is seeking transfer of Petition A. No. 310 of 2022 pending in Family Court, Aurangabad 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 and the distance between Hingoli and Aurangabad is of 230 Kilometers and therefore

she is unable to travel to Aurangabad without any financial assistance. Moreover, she has also filed two proceedings, one under the provisions of Protection of Women from Domestic Violence Act, 2005 against the respondent – husband and his family members and other is under Section 125 of Cr.P.C. for getting maintenance. There is no oppose to the application and therefore, considering the convenience of applicant, following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) The Petition A. No. 310 of 2022 pending in Family Court, Aurangabad is transferred to the Court of Civil Judge Senior Division, Hingoli for disposal according to law.
- (iii) The respondent is directed to appear before Court of Civil Judge Senior Division, Hingoli, on or before 15th June, 2023.
- (iv) The application is disposed of accordingly.

**[SANDIPKUMAR C. MORE]
JUDGE**