

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

1004 MISC.CIVIL APPLICATION NO.270 OF 2022

**SHAIKH AMREEN SHAIKH AKHTAR
VERSUS
SHAIKH AKHTAR SHAIKH KASIM**

...

Mr. Avinash Phad, Advocate for the applicant.

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20th January 2023.

ORDER:-

1. Heard learned Counsel for the applicant. The respondent husband, despite service remained absent.
2. The applicant – wife is seeking transfer of petition bearing PA No.110/2022 filed by the respondent - husband for restitution of conjugal rights under Mohammedan Law, from the Family Court, Parbhani to the Court of CJSD, Ambejogai. It appears that the applicant is not having any source of income and it would be highly difficult for the applicant to attend the dates at Parbhani without any financial support. In transfer cases, the convenience of wife is to see ahead of convenience of husband. Hence, the following order is passed.

ORDER

- (i) The application is allowed.

- (ii) PA No. 110/2020 is hereby transferred to the Family Court, Parbhani to the Court of learned Civil Judge (Senior Division), Ambejogai for its disposal according to law.
- (iii) The respondent is directed to appear before the learned Civil Judge (Senior Division), Ambejogai on or before 15th February 2023.
- (iv) The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)