

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

996 MISC.CIVIL APPLICATION NO.293 OF 2022

**VIJAYMALA JEEVAN PUNDGE
VERSUS
JEEVAN BHIMRAO PUNDGE**

...
Advocate for Applicant : Mr. Muneshwar G. K.
and Mr. Kolhe Machindranath N.

...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 03.02.2023

PER COURT :

Leave to correct prayer clause 'C' by mentioning Family Court Parbhani instead of Civil Judge Senior Division, Parbhani, Dist. Parbhani.

2. Heard rival submissions. The applicant -wife is seeking transfer of HMP No.138/2022 filed by the respondent -husband for restitution of conjugal rights, from the Court of Civil Judge Senior Division, Aurangabad to the Family Court, Parbhani.

3. According to the applicant, she is not having any source of income and she has look after her daughter who is 4 years old. Moreover, the applicant has filed three proceedings at Parbhani One is under Section 125 of Cr.P.C. and other one is under the provisions of PWDV Act and the last one is criminal revision application against the

order passed under Section 97 of Cr.P.C. The respondent -husband has already appeared in one of those proceedings. As such, it appears that the respondent -husband is already appearing at Parbhani and therefore, considering the convenience of the applicant, following order is passed :

ORDER

- (i) The application is allowed.
- (ii) HMP No.138/2022 is hereby transferred from the Court of Civil Judge Senior Division, Aurangabad to Family Court, Parbhani for disposal according to law.
- (iii) The parties are directed to appear before Family Court, Parbhani on or before 01.03.2023.
- (iv) Application is disposed of accordingly.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-