

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

1005 MISC.CIVIL APPLICATION NO.297 OF 2022

**NIKITA AKASH MANOHARE
VERSUS
AKASH DEEPAK MANOHARE**

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Mr. G.G. Suryawanshi, Advocate for the applicant.

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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 is seeking transfer of Marriage Petition No.A-1314/2022 filed by the respondent - husband for restitution of conjugal rights, from the Family Court, Nagpur to Family Court, Nanded. It appears that the applicant is not having any source of income. Moreover, the distance between Nagpur and Nanded is more than 400 kms. and it would be highly difficult for the applicant to attend the dates at Nagpur without any financial support. Further, it appears that the applicant has also filed proceeding under Protection of Women from Domestic Violence Act at Nanded. The respondent is yet to appear there. Besides, prosecution under Section 498-A of IPC is also going on against the respondent husband at

Nanded and therefore, he will have to appear there.

Considering all these aspects, following order is passed.

ORDER

- (i) The application is allowed.
- (ii) Marriage Petition No. A.1314/2022 is hereby transferred to the Family Court, Nagpur to the Family Court, Nanded for disposal according to law.
- (iii) The respondent is directed to appear before the learned Family Court, Nanded on or before 15th February 2023.
- (iv) The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)