

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

988 MISC.CIVIL APPLICATION NO.290 OF 2022

JAYASHRI VIGRESH GHATE
VERSUS
VIGRESH LAXMAN GHATE

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Advocate for Applicant : Ms. Jakhade Rutuja L.
Advocate for Respondents :Mr. Parghane Madhukar M.

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 19th January, 2023

ORDER:

1. Heard rival submissions.
2. The applicant wife is seeking transfer of Hindu Marriage Petition No. 410 of 2022 filed by the respondent husband for restitution of conjugal rights, from the Court of learned CJSD, Aurangabad to the Family Court, Dhule.
3. According to the applicant wife, she is not having any independent source of income. She has also filed proceeding under PWDV Act against the respondent at Dhule.
4. The learned counsel for the respondent strongly opposed the application. However, as per the latest view of the Hon'ble Apex Court, the convenience of wife is to be seen ahead of the convenience of the

husband in transfer cases. Moreover, the husband will have to attend the dates at Dhule in the proceedings filed by the applicant wife as aforesaid. In view of the same, following order is passed:

O R D E R

- i. The application is hereby allowed.
- ii. The Hindu Marriage Petition No.410 of 2022 -is hereby transferred to Family Court Dhule from the Court of learned CJSD, Aurangabad for its disposal according to law.
- iii. The respondent husband is directed to appear before the Family Court, Dhule on or before 1st March, 2023.
- iv. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

JPChavan