

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

971 MISC.CIVIL APPLICATION NO.2 OF 2023

**CHARULATA BHUSHAN BORSE
VERSUS
BHUSHAN YUVRAJ BORSE**

...
Advocate for Applicant : Ms. Sarin Karishma Sanjay
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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 06.04.2023

PER COURT :

Leave to correct prayer clause No. (ii) by replacing the words Family Court at Nandurbar with the Court of Civil Judge Senior Division, Nandurbar.

02. Heard learned Counsel for the applicant – wife. The respondent husband, though served, but remained absent.

03. The applicant – wife is seeking transfer of Petition A-337/2022 pending in the Family Court, Thane filed by respondent - husband for getting divorce, to the Court of Civil Judge Senior Division at Nandurbar.

04. According to the applicant-wife, she is not having any independent source of income. Moreover, she has also filed petition for restitution of conjugal rights in the Court of Civil Judge Senior Division, Nandurbar and two other proceedings one under section 125 of the Code of Criminal Procedure and other one is under the

provisions of Protection of Women from Domestic Violence Act, 2005 at Navapur, Dist. Nandurbar, wherein the respondent has already appeared.

05. Since the respondent is appearing in the Courts at Nandurbar and Navapur then he can also attend the dates at Nandurbar in his proceedings after transfer. There is no oppose to the application and therefore considering the convenience of applicant-wife, following order is passed :-

ORDER

- (i) The application is hereby allowed.
- (ii) Petition No.A-337/2022 pending in the Family Court, Thane is transferred to the Court of Civil Judge Senior Division, Nandurbar for its simultaneous disposal alongwith the petition filed by the applicant u/s. 9 of Hindu Marriage Act, pending therein, according to law.
- (iii) The respondent is directed to appear before the Civil Judge Senior Division, Nandurbar on or before 25.04.2023.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-