

Ghuge

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

MISCELLANEOUS CIVIL APPLICATION NO.147 OF 2022

Shreeyanka Sumit Jumale ... Applicant

V/s.

Sumit Ashokrao Jumale ... Respondent

Mr. S.H. Deshpande i/b Mr. A.R. Avachat for the
applicant.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 6, 2023

PC.:

1. This is an application filed by the wife seeking transfer of Hindu Marriage Petition No.7 of 2022 pending before the learned Civil Judge Senior Division, Darwah, Dist. Yavatmal to the Family Court at Pune.

2. The marriage between the applicant and respondent was solemnized on 30th June, 2020. Due to matrimonial dispute between the applicant and respondent, they started living separately. On 11th January, 2022 respondent/husband filed Hindu Marriage Petition No.7 of 2022 at Darwah Dist. Yavatmal for restitution of conjugal rights. On 18th February, 2022 petitioner filed Hindu Marriage Petition bearing PA No.759 of 2022 in the Family Court at Pune seeking divorce. The applicant has also filed Criminal Miscellaneous Application No.734 of 2022 before the learned Judicial Magistrate First Class at Pune.

3. The petitioner has, therefore, filed present application

seeking transfer of proceeding pending before the learned Civil Judge Senior Division, Darwah, Dist. Yavatmal to the Family Court at Pune. This Court by order dated 7th April, 2022 issued notice to the respondent.

4. Though the respondent is served, none appears for the respondent.

5. The applicant in paragraph 8 stated that she is residing in Pune and has no relatives at Yavatmal. The distance between the Darwah Yavatmal and Pune is 574 kms. It takes 12 hours by bus. Therefore, it is difficult for her to travel to Darwah, Yavatmal on each date.

6. Considering the reasons stated therein, the applicant has made out a case for transfer of proceeding. The Miscellaneous Civil Application is, therefore, allowed in terms of prayer clause (B).

7. No costs.

(AMIT BORKAR, J.)