

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

MISCELLANEOUS CIVIL APPLICATION NO.123 OF 2022

Seema Kunal Pawar	...Applicant
V/s.	
Kunal Ashok Pawar	...Respondent

Mr. Ganesh Bhujbal for Applicant.

CORAM : AMIT BORKAR, J.
DATE : JANUARY 06, 2023

P.C.:

1. The application has been filed by the wife for transfer of proceedings bearing *Hindu Marriage Petition No.A-569/2021* pending before the learned Family Court, Thane to the learned Family Court, Pune.

2. The marriage between the applicant and respondent was solemnized on 16th April 2012. The applicant and respondent resided together for more than nine (9) years. Thereafter, due to dispute between the parties, the proceedings bearing *Hindu Marriage Petition No.A-269/2021* is filed by the husband before the learned Family Court, Thane. The wife has also registered first information report bearing C.R. No.0160 of 2021 with Faraskhana Police Station, Pune for offence under Sections 498(A), 323, 504, 506 read with 34 of the Indian Penal Code, 1860 and the proceedings under the provisions of the Protection of Women from Domestic Violence Act, 2005 are also pending before the learned

Magistrate, Pune.

3. The applicant-wife has, therefore, filed present application seeking transfer. This court by order dated 28th March 2022, issued notice to respondent. The office remark shows that the respondent is served through court additionally the applicant has filed affidavit of service.

4. Since the proceedings filed by the wife are pending before the learned Magistrate, Pune, it would be convenient for the wife to attend proceedings before the learned Family Court at Pune.

5. Therefore, the application is allowed in terms of prayer clause (a).

(AMIT BORKAR, J.)

(The order is modified as per order dated 8th February 2023. The corrections in paragraph no.1 of the order are shown in italics)