



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

MISCELLANEOUS CIVIL APPLICATION NO.182 OF 2023

Anuradha Mahesh Borkar

... Applicant

Vs.

Mahesh Sambhaji Borkar

... Respondent

Ms.Ayodhya Patki, Advocate for the Applicant.

Ms.Prajakta Jagtap, Advocate for the Respondent.

CORAM : ABHAY AHUJA, J.

DATE : 21 AUGUST, 2023.

P.C. :

1. This application has been preferred by the Applicant-wife seeking transfer of Marriage Petition No.1295 of 2021 from Civil Judge, Senior Division, Pune to Civil Judge, Senior Division, Shrigonda, District Ahmednagar on the grounds mentioned in the said application.

2. When the matter is called out, Ms.Prajakta Jagtap, learned counsel appears for the Respondent-husband and submits that the Respondent-husband has no objection, if the Marriage Petition No.1295 of 2021 filed for restitution of conjugal rights before the Civil Judge, Senior Judge, Pune is transferred to Civil Judge, Senior Judge, Shrigonda, where Marriage Petition No.191 of 2021 filed by the Applicant-wife for divorce under section 13 of the Hindu Marriage

Act is pending. Learned counsel would however submit that the Respondent is desirous of restitution of conjugal rights even though the Applicant and the Respondent stayed together only for a period of three months since solemnization of the marriage on 4th March, 2018.

3. Be that as it may, having heard the learned counsel and having perused the application, considering that the learned counsel for the Respondent has conveyed the assent of the Respondent to transfer the proceeding pending before the court in Pune to Shrigonda, the application is made absolute in terms of prayer clause 17(A).

4. Let the Marriage Petition No.1295 of 2021 pending before the Civil Judge, Senior Division, Pune be transferred to Civil Judge, Senior Division, Shrigonda.

5. The application, accordingly, stands disposed. Parties to bear their own costs.

(ABHAY AHUJA, J.)