



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 MISC.CIVIL APPLICATION NO. 52 OF 2020

Madhuri Alias Mayuri Vishal Beedkar

....Applicant

VERSUS

Vishal Bhagwanrao Beedkar

.....Respondent

.....
Advocate for Applicant : Mr. Thombre Chandrakant V.

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CORAM : ARUN R. PEDNEKER, J.

Dated : January 05, 2024

PER COURT :-

1. Heard the learned counsel for the applicant/wife.
2. Notice of this matter was served on the respondent/husband. Today, when the matter is called out none appeared for the respondent.
3. By way of present application, the applicant is seeking transfer of HMP No. 80/2018 filed for restitution of conjugal rights by the respondent/husband pending before the Civil Judge, Senior Division, Basmat, District Hingoli to the Family Court, Beed.
4. The learned counsel for the applicant/wife submits that on 9.5.2018 the applicant was married with the respondent and due to some dispute, presently applicant is living with her parents at Devedi, Tal. Wadawani, District Beed. She is housewife and is not employed. The learned counsel submits that wife has filed maintenance application in the Court of Civil Judge, Junior Division, Wadawani in which maintenance amount of Rs.2000/- is granted in favour of the wife, however, the respondent/husband has not paid the amount till date. The learned counsel submits that husband has filed HMP No. 80/2018 for restitution of conjugal rights before Civil Judge, S.D., Basmat. The learned counsel submits that

the distance between Basmat and Beed is more than 200 k.m. and it is difficult for the applicant to attend the proceedings at Basmat by incurring expenses as she has no source of income. The learned counsel submits that the respondent/husband is earning amount of Rs.30,000/- per month towards salary and have other sources of income and no hardship would be caused to the respondent, if the proceedings filed by him would be transferred at Family Court at Beed.

5. In view of the submissions made above and taking into consideration totality of the facts and circumstances, I deem it appropriate to transfer the proceedings filed by the husband at Basmat Court to Family Court, Beed. Hence, HMP No. 80/2018 filed for restitution of conjugal rights by the respondent/husband before the Civil Judge, Junior Division, Basmat, District Hingoli shall be transferred to the Family Court, Beed. The Misc. Civil Application is allowed and disposed of accordingly.

[ARUN R. PEDNEKER J.]

ssc/