

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO.209 OF 2023**

Kasturi Sanket Kulkarni ... Applicant
versus
Sanket Shrikant Kulkarni Respondent

Mr. Saurabh Oka, Advocate for the Applicant.
Mr. S. D. Patil, Advocate for Respondent.

CORAM : ARUN R. PEDNEKER, J.

DATE : 12th JUNE, 2024.

P.C. :

1. The present application is filed for transfer of Petition A-No.2000 of 2022 filed by respondent-husband before the Family Court at Pune for restitution of conjugal rights to the Civil Judge, Senior Division, Jaysingpur.

2. The learned counsel appearing for the applicant submits that the applicant married respondent on 29th December 2021 and there is one year old child born out of the wedlock. He further submits that the proceedings under the Domestic Violence Act are initiated in Jaysingpur. The applicant is unemployed and she is residing with her parents in Jaysingpur. Her husband is working in some private company. He submits that the respondent-husband has filed petition for restitution of conjugal rights and it would be impossible for her to attend the proceedings at

Pune as she has a custody of her one year old child and that she is unemployed and dependent on her parents.

3. Per contra, learned counsel appearing for respondent-husband submits that respondent-husband has filed proceedings prior in point of time, whereas the proceedings under the Domestic Violence Act are filed at the later point of time to counterblast the proceedings initiated by the husband. He further submits that respondent-husband is willing to pay travelling expenses to the applicant-wife.

4. Having considered the rival submissions so also that the applicant-wife has to take care of her one year old child and that she is unemployed and dependent on her parents, it would be inconvenient for the applicant-wife to attend the proceedings initiated by the husband at Pune. In view of the same, the application is allowed in terms of prayer clause (a) and disposed of.

(ARUN R. PEDNEKER, J.)