

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

MISCELLANEOUS CIVIL APPLICATION NO. 468 OF 2024

Dr. Sagar Satyawar Kasabe ... Applicant

vs.

Swati Sagar Kasabe ... Respondent

Mr. Sagar R. Sonawane :-	Advocate for Applicant.
Mr. Machhindra Patil :-	Advocate for Respondent.

CORAM : S. M. MODAK, J.

DATE : 13th DECEMBER 2024

P. C. :-

1. Heard learned Advocate for applicant/ husband and learned Advocate for respondent/ wife. The respondent/ wife has filed petition for Restitution of Conjugal Rights before the Family Court, Solapur. It is on page No.62. Their addresses are mentioned in the title clause. Address of the wife is at Karjat, District Raigad whereas husband is also resident of Karjat, District Raigad. The applicant/ husband wants to transfer of the matter to the Family Court at Pandal.

2. The contention is for harassing the husband, petition is filed deliberately before the Family Court, Solapur. My attention is invited to the jurisdiction clause in the petition (paragraph No.6). According to her, their marriage is taken place at Solapur and hence Solapur Court is having jurisdiction. It is submitted that respondent/ wife is selected as Zilla Parishad Graduate Teacher. Her name is appearing in the list published by Zilla Parishad, Alibag-Raigad. This circumstance is pleaded only to show that the petition is filed deliberately by the wife at Solapur.

3. This ground cannot be accepted under Section 24 of the Code of Civil Procedure, 1908. When the jurisdiction clause refers to Solapur as a competent Court, at this stage this Court has to accept it. The Court seized of the matter can deal with the said issue if there is an occasion. Hence, I pass following order :

ORDER

- (i) Application is rejected.
- (ii) There shall be no order as to costs.

[S. M. MODAK, J.]