



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

MISC. CIVIL APPLICATION NO. 159 OF 2024

Bhagyashree w/o Sagar Pandharkar,
Age : 30 years, Occu. : Service
R/o. : Meena Tai Thakare Nagar, Satara Parisar,
Aurangabad. .. Applicant

Versus

Shri. Sagar Janakinath Pandharkar,
Age : 31 years, Occu. : Service
R/o. Loni, Tq. Rahata,
Dist. Ahmednagar. .. Respondent

Mr. Sameer Kurundkar, Advocate h/f Mr. Sanket S. Kulkarni, Advocate
for the Applicant.

CORAM : KISHORE C. SANT, J.

DATED : 14th JANUARY, 2025.

P C. :-

. Though the respondent is served, he has not appeared.

2. This application is filed for transfer of proceedings of H.M.P No. 130/2023 filed by the respondent for restitution of conjugal rights in the Court of learned Civil Judge Senior Division, Rahata to the learned Family Court at Aurangabad.

3. It is the case of the applicant that, the husband is residing at Mumbai because of his service. However, he has filed the proceedings at Rahata to deliberately harass the applicant. Presently, the applicant

is residing with her parents along with a child of two years. There are two proceedings filed by her at Aurangabad. One for maintenance under Section 125 of the Code of Criminal Procedure and another under the Protection of Women from Domestic Violence Act, 2005 bearing No. 16/2024 in the Court of learned J.M.F.C., Aurangabad. It is her case that, since the husband has to appear before the Court at Aurangabad, it would be in the interest of justice to transfer even the proceedings of H.M.P No. 130/2023 to the Court at Aurangabad.

4. This Court has considered the submissions of the learned advocate for the applicant. In spite of service, none appears for the respondent.

5. Considering the averments and the facts of the case, this Court finds that the application deserves to be allowed. The misc. civil application is allowed in terms of prayer clause (a).

6. The misc. civil application is disposed of.

7. After transfer of the proceedings, the applicant, shall not seek unnecessary adjournments and shall co-operate in speedy disposal of the proceedings.

(KISHORE C. SANT, J.)

P.S.B.