

Arun Sankpal

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO. 446 OF 2024

Ambika Pankaj Pawar Alias Ambika Sriniwas ..Applicant
Alkunte

Versus

Pankaj Ankush Pawar ...Respondent

Mr. Manoj Bagal, for the Applicant.

Mr. Hrishikesh Giri, with Sachin Shete, for the Respondent.

CORAM: N. J. JAMADAR, J.

DATED : 28th FEBRUARY 2025

P.C.:

- 1.** Heard learned Counsel for the parties.
- 2.** This is an application for transfer of Marriage Petition No. 422 of 2020 from the Court of Civil Judge, Senior Division, Pune to the Family Court at Solapur.
- 3.** The applicant had filed MCA (Stamp) No. 97169 of 2020. By an Order dated 14th January 2021, the said application came to be disposed as withdrawn as a statement was made on behalf of the respondent that the respondent would pay Rs. 5000/- towards travelling expenses, on each date of the said proceeding before the

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Court of CJSD, Pune, whenever the applicant attends the said proceeding.

4. It is the contention of the applicant that the said undertaking has not been complied with. There were intermittent defaults. Now an amount of Rs. 15,000/- is in arrears towards the traveling expenses.

5. In the meanwhile, a Petition for restitution of conjugal rights filed by the applicant has been allowed by the learned Judge, Family Court, Solapur.

6. The learned Counsel for the respondent submits that though the applicant had appeared before the Court of CJSD, Pune, there was no effective hearing as adjournments were sought on behalf of the applicant.

7. The learned Counsel for the applicant disputes the aforesaid position

8. At any rate, since the proceeding was allowed to be continued before the CJSD, Pune subject to the applicant being paid traveling expenses of Rs.5,000/- per date of appearance before the CJSD, Pune, the respondent is enjoined to pay the said amount.

9. Since evidence has been recorded, and the matter is pending for cross-examination of the respondent, it may be expedient to continue the proceeding before the CJSD, Pune, provided the respondent deposits arrears of travelling expenses and a sum of Rs.15,000/-

towards future traveling expenses of the applicant, within a period of four weeks.

10. In case, the applicant commits default in making the aforesaid payment, the Court will be constrained to consider the prayer for transfer.

11. Stand over to 25th April 2025.

[N. J. JAMADAR, J.]