



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO.493 OF 2024**

Hemangi Nilesb Bhanushali @ Hemangi Prakash Kulkarni	...	Applicant
versus		
Nilesb Chandrakant Bhanushali	...	Respondent

Mr. Vikas B. Shivarkar for Applicant.
Mr. Shyam K. Singh, for Respondent.

CORAM: N.J.JAMADAR, J.

DATE : 2 MAY 2025

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for transfer of Marriage Petition No.892 of 2024 filed by the Respondent husband for restitution of conjugal rights. The applicant wife has already instituted a Petition for dissolution of marriage i.e. MP No.377 of 2024 before the Court of Civil Judge, Sr. Division at Pune. Marriage Petition No.892 of 2024 has been subsequently filed by the Respondent.
3. It appears that the parties have turned astray after a long married life. Their daughter is studying in the 10th standard. There is an element of settlement of the dispute between the parties.
4. In these circumstances, having regard to the well settled principle that in the matter of transfer of matrimonial proceeding, ordinarily, it is the

convenience of the wife that commands preference, I am inclined to allow the application. However, it may be expedient to request the Secretary, District Legal Services Authority, Pune, to appoint a Judge-Mediator to explore the possibility of mediated settlement of the dispute between the parties before the Petitions are taken up for hearing.

5. Hence, the following order :

ORDER

(i) The Application stands allowed.

(ii) Marriage Petition No.892 of 2024 stands transferred from the Court of Civil Judge, Sr. Division, Kalyan to the Court of Civil Judge, Sr. Division, Pune, for hearing and disposal in accordance with law along with Marriage Petition No.377 of 2024.

(iii) The learned Civil Judge, Sr. Division, Kalyan, shall transfer the record and proceedings in Marriage Petition No.892 of 2024 with such dispatch that it reaches the Court of Civil Judge, Sr. Division, Pune within a period of four weeks from the date of communication of this order.

(iv) Marriage Petition No.892 of 2024, upon transfer, be tagged together with MP No.377 of 2024 and decided by one and the same Court.

(v) The parties shall appear before the Secretary, DLSA, Pune on 3 May 2025 .

(vi) The Secretary, DLSA Pune, is requested to appoint a Judge / Mediator to explore the possibility of mediated settlement of the dispute between the parties.

(vii) The Judge-Mediator to be appointed by the Secretary, DLSA, Pune is requested to submit a report within a period of five weeks from the date of reference.

(viii) No costs.

(N.J.JAMADAR, J.)