

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION NO. 43 OF 2025

Arista N. Nachane

..... Applicant

VERSUS

Nitinn Krushnarao Nachane

..... Respondent

Mr.Vijay Kurle a/w. Ms.Sonal Manchekar, Ms.Priyal Gupta, Mr.Vikas Pawar i/b. Forum Chambers for the Applicant.

Mr. Hitesh Vyas a/w. Mr.Rasik Raut for the Respondent.

CORAM : RAJESH S. PATIL, J.

DATE : 18 SEPTEMBER, 2025

P.C. :-

1) This Miscellaneous Civil Application is filed by the wife seeking transfer of the Marriage Petition (for restitution of the conjugal rights) filed by her before the Family Court, Pune to the Family Court at Mumbai.

2) The respondent husband has filed a counter claim in the said restitution petition filed by the wife at the Family Court at Pune.

3) It is the case of the wife that she is temporarily residing at Surat, Gujarat alongwith her daughter of 11 years and it will be convenient for her to travel from Surat to Mumbai, than from Surat to

Pune.

4) On behalf of the respondent, it is submitted that the marriage petition filed in the year 2019 by the wife in Pune has reached to the stage of final hearing after the evidence of the parties was completed. Therefore this kind of last minute transfer petition should not be entertained by this Court.

5) I have heard learned advocates for both the sides. It is not the case of the applicant that she is staying in Mumbai. A transfer has been sought of the marriage petition from Pune to Mumbai. Considering that the marriage petition filed in the year 2019 has reached to the stage of final hearing, in my view, there is no merit in this MCA. Hence, the present **Miscellaneous Civil Application stands rejected.**

[RAJESH S. PATIL, J.]