



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION (TRANSFER) NO. 500 OF 2024

Farheen Shoheb Sheikh

... APPLICANT

Versus

Shoheb Rashid Sheikh

... RESPONDENT

Ms. Gulafshan Ansari, Advocate h/f Mr. Mir Nagman Ali, Advocate for Applicant.
None for the Respondent.

CORAM : R. M. JOSHI, J.
DATE : JUNE 26, 2025.

ORDER

. Heard Ms. Gulafshan Ansari, learned Counsel appearing for the Applicant. None appeared for the Respondent, though served.

2. The Applicant is wife. She seeks transfer of Regular Civil Suit No. 225/2023 pending before the Civil Judge Junior Division, Shevgaon, District Ahmednagar filed by the Respondent/husband for restitution of conjugal rights.

3. It is the case of the Applicant that she has no independent source

of livelihood and has responsibility of seven years old daughter. It is further claimed that she had filed proceedings under the provisions of Protection Women from Domestic Violence Act being Criminal Misc. Application No. 12/2023 pending before the Judicial Magistrate First Class, Malegaon, District Washim.

4. The learned Counsel for Applicant submits that the distance between Shevgaon, District Ahmednagar and Malegaon, district Washim is about 350 kilometers. It is her contention that if the Applicant, who is unemployed and has responsibility of a minor girl is called upon to appear before the Court at Shevgaon, prejudice will cause to her defence. The contention of the Applicant has gone unchallenged. There is a proceeding filed by the Applicant against the Respondent/husband under the provisions of Domestic Violence Act at Malegaon and in any case the Respondent will have to appear before the said Court. Consequently, no prejudice will cause to him, if the Application is allowed. Hence, Misc. Civil Application stands allowed in terms of prayer clause ((2).

5. In order to ensure that the Respondent/husband is not harassed by the Applicant by calling him on different dates of hearing, it shall be the

responsibility of the Applicant/wife to ensure that the proceedings under the provisions of Domestic Violence Act and any other proceedings filed by her in the Courts at Malegaon, District Washim shall be heard on the same day.

(R. M. JOSHI, J.)

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