

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR  
CIVIL APPELLATE JURISDICTION  
MISCELLANEOUS CIVIL APPLICATION NO.286 OF 2025

Aqsa Aaquib Salman Shaikh

... Applicant

**Versus**

Aaquib Salman Mohd Farooque Shaikh

... Respondent

\*\*\*

Ms. Chaitrali Deshmukh (through V.C.), for Applicant.  
None for the Respondent.

\*\*\*

**CORAM : M. M. SATHAYE, J.**

**DATE : 13<sup>th</sup> MARCH, 2026.**

**P C. :**

1. Heard learned counsel for the Applicant.
2. Applicant is wife, who is seeking transfer of restitution of conjugal rights proceedings filed by Respondent-Husband from Family Court at Solapur to Family Court at Kolhapur.
3. Notice was issued from the Circuit Bench at Kolhapur to the Respondent, which is duly served through mother of Respondent-Husband, according to office note. None appears for the Respondent-Husband despite service.
4. Learned counsel for the Applicant submitted that Applicant is residing with her parents. Perused the Application. It is stated that the Applicant is currently not working and is completely dependent on her father. It is stated that Applicant's father is managing all the expenses of pending litigation and day-to-day needs of the Applicant. It is also stated that the distance between two places is about 236 k.m and it is difficult for Applicant to travel long

SHAILAJA  
SHRIKANT  
HALKUDE  
Digitally signed  
by SHAILAJA  
SHRIKANT  
HALKUDE  
Date:  
2026.03.13  
18:44:50  
+0530

distance to Solapur to attend the dates as it will cause hardship. It is pointed out that the Applicant filed proceeding under The Protection of Women from Domestic Violence Act, 2005 and on receiving it's notice, the proceedings for restitution of conjugal rights are filed by husband in Solapur Family Court.

5. Attention of the Court is drawn to order dated 19.04.2025 by which Respondent-Husband is directed to pay maintenance of Rs.17,000/- per month. It is submitted that this maintenance amount is not regularly paid.

6. Perusal of the copy of the proceedings filed by the Respondent-Husband indicates that the Respondent-Husband claims to be working as IT Engineer and therefore he is employed.

7. No reply is filed. Nobody is appearing to contest the Application.

8. Considering un-controverted averments in the Application and convenience of the wife, case for transfer is made out.

9. The Application is allowed. Petition A. No.56/2025 pending before Family Court at Solapur be transferred to Family Court at Kolhapur for hearing in accordance with law.

10. All concerned to act on duly authenticated or digitally signed copy of this order.

**[ M. M. SATHAYE, J. ]**