Swapnil

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC.CIVIL APPLICATION NO. 191 OF 2026

Sunita Ravindra Shinde. …Applicant

Vs.

Ravindra Hanumant Shinde. …Respondent

Mr. Parth Talekar a/w. Mr. Vijay Birajdar for the applicant.

CORAM : GAURI GODSE, J.

DATE : 7th OCTOBER 2026

ORDER :

1. This application is filed under Section 24 of the Civil Procedure Code, 1908 by the wife seeking transfer of the petition for Restitution of the Conjugal Rights filed by the husband.

2. The applicant is residing at Panvel along with her two minor children and she is dependent on her brother. The respondent / husband has filed the petition for restitution of conjugal rights in the court at Pimpri-Chinchwad, Pune.

3. Notice is issued in this miscellaneous civil application which is served upon the respondent. Although, an appearance is filed through advocate, none appears for the

respondent today. As a last chance to the respondent the application was adjourned on 11th September 2026. However, even today none appears for the respondent.

4. Learned counsel for the applicant submits that the applicant has no source of income and she is supported by her brother. He submits that the two minor children who are 7 years and 3½ and half years of age respectively, are residing with her at Panvel. He submits that the distance between Panvel and Pimpri-Chinchwad is around 90 KM, and it takes approximately more than 3 hours to travel. He, therefore, submits that it is difficult for the applicant to travel along with her two minor children. He submits that applicant has no source of income. Hence, it would not be possible for her to travel from Panvel to Pimpri-Chinchwad. He, therefore, submits that it would not only be inconvenient, but also hardship would be caused to the applicant, if she is made to travel from Panvel to Pimpri-Chinchwad. He, therefore, seeks transfer of the petition from the court at Pimpri-Chinchwad, Pune to the Civil Court at Panvel.

5. I have perused the grounds raised in the application. The oral submissions made on behalf of the applicant are

supported by the averments in the application. The respondent has not filed any reply, opposing the grounds for transfer. Considering the financial constraints of the applicant and the distance between the two places, it would be inconvenient for the applicant to travel to Pimpri-Chinchwad, Pune. Both the minor children are residing with the applicant and she is at the mercy of her brother. Hence, the applicant has made out a case to transfer the petition filed for restitution of conjugal rights, on the ground of inconvenience and the hardship.

6. For the reasons stated in the application, it is allowed in terms of prayer clause ‘a’ which reads as under :

“a. This Hon’ble Court be pleased to transfer proceedings Marriage Petition No. 1223 of 2026 filed and pending in the file of Ld. Civil Court Senior Division, Pimpri-Chinchwad to be heard and tried at Ld. Civil Court Senior Division, Panvel.**”**

[GAURI GODSE, J.]