

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC. CIVIL APPLICATION NO.6 OF 2015

Sow. Swati w/o Avinash Bhagat,
Age : 27 years, Occu. Household,
R/o Warundawan Nagar,
Akola Bypass Road,
Behind Bus Depot, Tq. Murtizapur,
Dist. Akola

..APPLICANT

VERSUS

Avinash s/o Pratap Bhagat,
Age : 29 years, Occu. Service,
R/o Building No.8/3, Gadiya Vihar,
Shahnoor Miya Darga Road,
Aurangabad, Tq. & Dist.
Aurangabad

..RESPONDENT

Mr Gautam J. Pahilwan, Advocate for applicant;
Mr S.R. Andhale, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 22nd July, 2015

ORAL ORDER :

The applicant is seeking transfer of Petition No.A-289/2014 from the Family Court, Aurangabad to the Court of Civil Judge Senior Division, Akola or Family Court, Akola.

2. The transfer of the proceedings is sought on the ground that the marriage which took place on 26th May, 2011 has broken up in view of differences between the parties.

3. The parties are blessed with a son on 9th December, 2012, who is in the custody of the applicant herein.

4. The application is objected on behalf of the respondent on the ground that since the jurisdiction vests at Aurangabad, the matter has to be conducted at Aurangabad.

5. Having considered rival contentions of the parties, it is noticed that the custody of the minor child, aged about 2-1/2 years, is with the present applicant. It will be really causing hardship to the applicant herein to travel from Akola to Aurangabad to attend the proceedings.

6. In view thereof, the application stands allowed.

The proceedings of Petition No.A-289/2014, pending on the file of the Family Court, Aurangabad, shall stand transferred to the Family Court, Akola.

In the circumstances, there shall be no order as to costs.

(N.W. SAMBRE, J.)

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