

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

MISC. CIVIL APPLICATION NO.15 OF 2014

Sau.Swati Sidharth Waghmare
Age 22 years, Occu. Household,
R/o Phule Nagar, Keij,
at present Ahilyadevi Holkar
Nagar, Near Blind School,
Latur

..Applicant

Versus

Sidharth Sampatrao Waghmare,
Age 26 years, Occu. Business/Service,
R/o Phule Nagar, Keij,
at present Samajkalyan Department,
Nandurbar, Taluka and Dist.Nandurbar

..Respondent

Mr R.P. Adgaonkar, Advocate for applicant
Mr S.W. Munde, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 20th July 2015

PER COURT

Heard.

1. The proceedings Hindu Marriage Petition No.114 of 2012 pending on the file of Civil Judge, Senior Division, Ambajogai are sought to be transferred to Latur Court on the ground of hardship faced by the applicant/wife.

2. The respondent is a government servant and has opposed the abovesaid prayer on the ground that being a government servant, it will be difficult for him to travel to Latur for attending the proceedings.

3. In view of law laid down by the Apex Court in the matter of **Sunita Singh Vs. Kumar Sanjay & anr.**, reported in **AIR 2002 SC**

396, the convenience of wife should be considered while dealing with the matrimonial proceedings for transfer.

4. As such, present application which is at the behest of wife stands granted in terms of prayer clause (B), which reads thus:

“B. This Hon'ble Court by way of appropriate order or directions in the like nature, be pleased to direct the learned Civil Judge, Senior Division, Ambajogai to transfer the H.M.P. No.114 of 2012 to Civil Judge, Senior Division, Latur.”

(N.W. SAMBRE, J.)

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