

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC. CIVIL APPLICATION NO.42 OF 2015

Rajashri w/o Eknath Rathod,
Age: 28 years, Occu. : Service,
R/o : Plot No. 33, 1/2, Hiverkheda Road,
Shriram Colony, Kannad,
Dist. : Aurangabad

...APPLICANT
(Orig. Respondent)

VERSUS

Eknath s/o Ramdhan Rathod,
Age: 31 years, Occu : Service,
R/o : AT Kakda (Vasram Naik Tanda)
Post :Ner, Tal. & Dist. Jalna

...RESPONDENT
(Orig. Petitioner)

Ms Vaishali S. Chaudhari, Advocate for applicant;
Mr R. N. Bharaswadkar, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 9th June, 2015

ORAL ORDER

Heard learned Counsel for the respective parties.

2. The usual dispute between husband and wife has prompted the wife – applicant to take out present proceedings, seeking transfer of Hindu Marriage Petition No.182 of 2014, instituted by husband - respondent, from the Court of Civil Judge Senior Division, Jalna to the Court of Civil Judge Senior Division, Aurangabad, as according to her, it is causing hardship to her to attend the proceedings at Jalna.

3. Learned Counsel appearing on behalf of the applicant would urge that since the respondent is working at Aurangabad, it is convenient for him to attend the proceedings at Aurangabad.

4. Having regard to the above undisputed fact and keeping in mind the settled position that while considering the question of transfer of matrimonial proceedings, regard must be had to the convenience of the wife, it is appropriate to order transfer of the proceedings.

5. In that view of the matter, Misc. Civil Application stands allowed. The proceedings of Hindu Marriage Petition No.182 of 2014, pending on the file of Civil Judge Senior Division, Jalna, shall stand transferred to the Family Court at Aurangabad.

6. Parties agree that they shall appear before the Family Court at Aurangabad on 29th June, 2015.

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

(N.W. SAMBRE, J.)

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