

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

Misc. Civil Application No. 57 of 2015

Sangeeta w/o Santosh Maher. .. **Applicant.**

Versus

Santosh S/o Dharamsing Maher. .. **Respondent.**

Shri. Gautam J. Pahilwan, Advocate, for applicant.

Respondent - served.

CORAM: T.V. NALAWADE, J.

DATE : 2nd SEPTEMBER 2015

ORDER:

1) The application is filed for transfer of Hindu Marriage Petition No.176/2014 presently pending in the Court of the Civil Judge, Senior Division, Kopargaon, District Ahmednagar. The wife has prayed for transfer of the matter on the ground of convenience. Respondent husband is duly served but he has not turned up.

2) The proceeding is filed by the husband for relief of divorce. It is the case of the applicant wife that she is residing in Indiranagar Pandharpur, Aurangabad.

It is her case that she has no source of income and she will be required to take some male attendant to Kopargaon for contesting the matter filed for divorce against her. It is her case that she has no resources, she will not be in a position to contest the matter effectively by going to Kopargaon. So she has prayed for transfer of the matter to the Court of the Civil Judge Senior Division Aurangabad. In view of the aforesaid circumstances this Court holds that the proceeding needs to be transferred.

3) In the result, the application is allowed. The Hindu Marriage Petition No.176 of 2014 presently pending in the Court of the Civil Judge Senior Division Kopargaon is withdrawn from that Court and it is transferred to the Court of the Civil Judge, Senior Division, Aurangabad. The new Court is to see that notice is given to the husband before starting hearing of the matter or before passing any order as the husband has not turned up in the present proceeding.

Sd/-
(T.V. NALAWADE, J.)

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