

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO. 67 OF 2015

ABDUL RAHEEM AHMED HUSSAIN
VERSUS
NAYEEM KHAN KHAYYUM KHAN

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Advocate for Applicant : Mr. G. R. Syed

CORAM : N.W. SAMBRE,J.
DATE : 31st JULY, 2015.

PER COURT:

1] Heard. None for the applicant though served. The daughter of the applicant was married to present non applicant. Out of the said wedlock son Umar Rza was born, who is with the present applicant in the capacity of maternal grandfather.

2] The non-applicant initiated proceedings for the custody of the son against the present applicant in the Court of District Judge, Hingoli, vide Proceedings No. 10 of 2015, of which transfer is sought from Hingoli to Nanded.

3] The ground for transfer is that the issue raised in the said proceeding pertains to the custody of the minor son. The grandson who is residing with applicant at Nanded and taking his education at the same place. It is also alleged that the applicant grandfather is working in Irrigation Department and he is serving at Nanded. If the proceedings are continued at Hingoli it will cause hardship to both the applicant who is aged about 47 years and the grandson who is taking education at Nanded.

4] The above referred hardship as pleaded and expressed in the

application is not denied or controverted by the non applicant, as the non applicant has chosen to remain absent. In view of this, it will be appropriate to grant the present application in terms of prayer clause (B). The application is accordingly allowed and disposed of. No costs.

[N.W. SAMBRE]
JUDGE.

grt/-