

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

47. MCA/88/2015

JAGRUTI DEEPAK BAWISKAR
V/S
DEEPAK SHARAD BAWISKA

Mrs. S.G. Mapari h/f. Mr. P.R. Katneshwarkar, Advocate for applicant.

Mr. S.S. Kazi, Advocate for respondent.

CORAM : T.V. NALAWADE, J.
DATED : 14th September, 2015.

ORDER :

1. The application is filed for transfer of H.M.P. No.111/2015 presently pending in the Court of Civil Judge, Senior Division, Bhusawal to the Court of Civil Judge, Senior Division, Nandurbar. Both sides are heard.

2. It is the case of applicant that she has she has no source of income and she is required to take care of a child aged about one and half year. It is her case that as the matter is filed in Bhusawal Court, she will be required to travel distance of 200 k.m. and on every occasion, she will be required to take one attendant with her. It is her case that she will not be able to spend on litigation and on conveyance. It is her case that due to that she may not be able to contest the proceeding filed by

husband effectively. She has requested for transfer of the matter on this ground.

3. It appears that legal aid is given to husband. Due to this circumstance, it can be said that husband has no resources from which he can pay to the wife of conveyance. In view of these circumstances, this Court holds that for enabling the wife to contest the proceeding filed by the husband effectively, the matter needs to be transferred.

4. In the result, the application is allowed. H.M.P. No. 111/2015 presently pending in the Court of Civil Judge, Senior Division, Bhusawal is withdrawn from that Court and is transferred to the Court of Civil Judge, Senior Division, Nandurbar. Both the sides are to appear before the new Court on 20.10.2015. The new Court is to see that the matter is disposed of expeditiously and in any case, within six months from the date of receipt of this order. The fees of appointed counsel is quantified as Rs. 1500/-.

[T.V. NALAWADE, J.]

ssc/