

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

Misc. Civil Application No. 96 of 2015

Shilpa w/o Shamkumar Sali. **.. Applicant.**

Versus

Shamkumar s/o Ganesh Sali. **.. Respondent.**

Shri. Swapnil S. Patil, Advocate, for applicant.

Shri. Satej S. Jadhav, Advocate, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 2nd SEPTEMBER 2015

ORDER:

1) The application is filed for transfer of Hindu Marriage Petition No.296 of 2015 which is presently pending in the Court of the Civil Judge Senior Division Kalyan, District Thane on the ground of convenience of the wife. Both sides are heard.

2) It appears that the wife has file proceeding for restitution of conjugal rights in the Court of the Civil Judge Senior Division Bhusawal. She has filed another proceeding under the provisions of the Protection of

Women from Domestic Violence Act, 2005 in the Court from Bhusawal. It is her case she has no source of income and she will be required to take some male attendant to the Court from Kalyan where the divorce proceeding is filed against her. She has no resources, she will not be able to contest the matter filed for divorce effectively.

3) It appears that the husband is in service. In any way he will be required to take leave for attending the divorce proceeding and also for attending the matters filed against him at Bhusawal. All the three matters can be kept at one station for the convenience of both the sides. In view of these circumstances this Court holds that the application needs to be allowed.

4) In the result, the application is allowed. Hindu Marriage Petition No.296/2015 presently pending in the Court of the Civil Judge Senior Division Kalyan is withdrawn from that Court and it is transferred to the Court of Civil Judge Senior Division Bhusawal. The new Court is to see that date of this matter is fixed after considering convenience of the husband and the same

date is given as given in other matters filed by the wife against the husband. The parties are to appear before the new Court on 25th September 2015.

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

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