

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

907. MCA/90/2015

VRUSHALI RAHUL PATHARKAR  
V/S  
RAHUL NAGNATH PATHARKAR

Mr. A.S. Kulkarni, Advocate for applicant.

Mr. S.S. Jadhavar, Advocate for respondent.

**CORAM : T.V. NALAWADE, J.**  
**DATED : 7th October, 2015.**

**ORDER :**

1. The application is filed for transfer of H.M.P. No. 17/2015 presently pending in the Court of Civil Judge, Senior Division, Ahmednagar. The transfer is sought to the Family Court, Pune. Heard both the sides.

2. It appears that husband has filed proceeding for divorce against the applicant, wife. The husband is a businessman. It is the case of wife that she has no source of income and she will be required to spend on conveyance for herself and on attendant. It is her case that she will not be contest the divorce proceeding effectively, if the matter is kept pending in the Court from Ahmednagar. It is her case that she has filed proceeding under the provisions of Prevention of Women from Domestic Violence Act in the Court from Pune and

the husband is required to come to attend that proceeding to Pune. It is contended that for convenience of both the sides, the matter can be brought to Pune.

3. The learned counsel for respondent strongly opposes the application by contending that the wife is not living in Pune and she is living in Patas and so, the matter can be transferred to the Court having jurisdiction over Patas.

4. It can be said that for husband also Pune is convenient place as he is residing at Ahmednagar and he is doing business there. In any case, the husband will be required to attend the matter under the Domestic Violence Act filed by the wife. For convenience of both the sides, this Court holds that the divorce proceeding needs to be transferred to the Family Court, Pune.

5. In the result, the application is allowed. H.M.P. No. 17/2015 is withdrawn from the Court of Civil Judge, Senior Division, Ahmednagar and is transferred to the Family Court, Pune. The new Court is to see that the date of the present matter is fixed as per the date given in other matter filed under the provisions of Domestic Violence Act, so that no

inconvenience is caused to both the sides. The matter filed for divorce is to be disposed of expeditiously and in any case, within one year from the date of receipt of the record.

**[ T.V. NALAWADE, J. ]**

ssc/