

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

915. MCA/109/2015

PUSHPANJALI@SANDHYA JAGGANATH SONTAKE
V/S
GAJANAN GANPAT SONTAKKE

Mr. V.V. Dhage, Advocate for applicant.

Mr. K.B. Jadhavar, Advocate for respondent.

CORAM : T.V. NALAWADE, J.
DATED : 20th October, 2015.

ORDER :

1. The application is filed for transfer of H.M.P. No. 37/2015 filed by the husband for divorce. Both the sides are heard.

2. The case of the wife is that she has no resources and she cannot spend on conveyance for attending the Court at Kandhar where divorce proceeding is filed by the husband. It is her case that she will be required to take one attendant and she she will be required to take with her one son, aged about one year every time and she cannot be in a position to attend the Court every time and contest the divorce proceeding effectively.

3. The submissions made show that the distance between her place and Kandhar is around 400 k.m. Admittedly,

she is housewife. The husband is working as a teacher. In view of these circumstances, this Court holds that the matter needs to be transferred to the Court situated at Pusad.

4. The learned counsel for the appellant has strongly opposed the application. He submitted that he is ready to pay for conveyance etc. Even if the order of paying charges is made, that is never practical as it is not certain as to how many dates she will be required to go to Kandhar with one son, aged about one year and whether any attendant will be available to her every time.

5. So, the application is allowed. H.M.P. No. 37/2015, presently pending in the Court of Civil Judge, Senior Division, Kandhar is withdrawn from that Court and is transferred to the Court from Pusad. Both the sides are to appear in the new Court on 5.12.2015. The new Court is to dispose of the matter expeditiously and in any case within six months from the date of receipt of the record.

[T.V. NALAWADE, J.]

ssc/