

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

21. MCA/124/2014

DR. RAJASHRI W/O SAMBHAJI WAGH NEE DR. RAJASHRI D/O BHALCHANDRA
SHERE
V/S
MR. SAMBHAJI S/O EKNATHRAO WAGH

Mr. Hemant Survey, Advocate for applicant.

Mr. N.V. Gaware, Advocate for respondent.

CORAM : T.V. NALAWADE, J.

DATED : 12th October, 2015.

ORDER :

1. The application is filed for transfer of H.M.P. No. 58/2013 from the Court of Civil Judge, Senior Division, Ahmednagar to the Court of Civil Judge, Senior Division, Latur. Both the sides are heard.

2. The submissions made show that both the wife and the husband have source of income. The proceeding is filed by the wife under section 13 of Hindu Marriage Act, 1955 for divorce. The learned counsel for husband submitted that if the matter is transferred to Latur, the husband will be required to cover the distance of 400 k.m. every time and so, convenience of the husband be also considered.

3. It appears that Beed is situated at the equal distance from the places of husband and wife. In view of the fact that both are having income source and both are educated, this Court holds that matter can be transferred to the Court from Beed and that will take care of the apprehensions expressed by the wife also.

4. In the result, the application is allowed. H.M.P. No. 58/2013, presently pending in the Court of Civil Judge, Senior Division, Ahemdnagar is withdrawn from that Court and is transferred to the Court of Civil Judge, Senior Division, Beed. Both the sides are to appear in the new Court on 3.12.2015. 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/