

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

MISCELLANEOUS CIVIL APPLICATION NO. 150 OF 2015

Monika w/o Bramhanand Tachale
Age 25 years, occup. Household,
R/o C/o Tukaram Manikrao Mule-Patil,
At post Jawalga (Ramling) Tq. Deoni,
District Latur

.. Applicant

vs

Bramhanand s/o Sangappa Tachale,
Age 29 years, occup. Service as a
Talathi, R/o C/o Gorakh J. Hajare,
Sai Darshan, Flat No. 24,
Baburao Nagar, Shirpur, Tq. Shirpur,
Dist. Pune – 412 210

.. Respondents

Mr. Bramhanand M. Dhanure, Advocate for applicants
Mr. V. P. Kadam, Advocate for respondent

CORAM : SUNIL P. DESHMUKH, J.
5TH DECEMBER, 2015

ORAL JUDGMENT :

1. Rule. Rule made returnable forthwith. Heard the parties by consent, finally.

2. There is no dispute on the factual aspect that the applicant got married to respondent in May, 2014, however, later disputes arose between them and consequently applicant started residing separately from him with her parents at village Jawalga (Ramling) Tq. Deoni, District Latur, a place around 400 kilometers away from Pune where husbands reside. Respondent-husband filed

proceedings for divorce bearing Hindu Marriage Petition No. 759 of 2015 under section 13 (1) (i-a) of the Hindu Marriage Act, 1955 in the court of Civil Judge, Senior Division, Pune.

3. It is the case of the applicant that she is carrying and that distance between her present place of residence and Pune is prohibitive for her to travel, apart from that she has no source of income worth the name and as such she has to depend upon her parents and that respondent is a public servant and has been negligent and has opted for filing divorce proceedings at Pune where he is working, with a view to harass the applicant. However, said place, as stated earlier, is not convenient place for the applicant to attend divorce proceedings having regard to the circumstances referred to hereinabove.

4. Learned counsel for the respondent though does not readily accept the contentions on behalf of the applicants, yet he has not been in a position to dispute veracity of the position stated by the applicant.

5. In the circumstances, having regard to general position that the proceedings may be conducted at a place convenient to wife, especially when the wife is dependent on her parents for livelihood by staying away from husband, request of the applicant appears to be reasonable. I, therefore, deem it appropriate to grant the request.

6. In the circumstances, miscellaneous civil application is allowed and granted in terms of prayer clause (B) and disposed of.
7. Rule made absolute in aforesaid terms.

SUNIL P. DESHMUKH, J.

pnd