

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

Misc. Civil Application No. 139 of 2014

Sonali W/o Santosh Khobre. **.. Applicant.**

Versus

Santosh S/o Manmath Khobre. **.. Respondent.**

Shri. H.G. Panchal, Advocate, for applicant.

Shri. Vijay Sharma, Advocate, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 21 AUGUST 2015

ORDER:

1) The application is filed for transfer of Hindu Marriage Petition No.118 of 12014 which is presently pending in the Court of the Civil Judge, Senior Division, Latur to the Family Court at Nanded. The said proceeding is filed by the husband for divorce. Heard both the sides.

2) The submissions made show that the wife has filed proceeding for maintenance in the Family Court Nanded. The applicant has a daughter aged about 1 and

half years. She is housewife and the occupation of the husband is shown as business. It was submitted that the distance between Latur and Nanded is 150 kilometers and in view of aforesaid circumstances she will have to take at least one male attendant to Latur for attending the matter filed for divorce. She has no resources and so it will not possible for her to effectively contest the matter.

3) On the other hand learned counsel for the husband submits that the husband is under treatment as he is suffering from psychological disorder. He submits that the divorce proceeding was filed first in time and after that the maintenance proceeding came to be filed.

4) In view of the aforesaid circumstances and to see that the wife is able to contest the matter effectively filed against her this Court holds that the matters needs to be transferred.

5) In the result, the application is allowed. The Hindu Marriage Petition No.118 of 2014 presently pending in the Court of the Civil Judge, Senior Division,

Latur is hereby withdrawn and it is transferred to the Family Court, Nanded. The Family Court, Nanded is to see that both the proceedings are kept on the same date so as to avoid inconvenience to the parties.

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

rs1