

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO.83 OF 2014
(Sou. Geeta Kishor Bagul Vs. Mr. Kishor Prabhakar Bagul)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.

Court's or Judge's orders.

Shri Pritesh K. Bohade, Advocate for Applicant.
None for Respondent.

CORAM: R.K. DESHPANDE, J.
DATE: 31st JULY, 2015.

This Misc. Civil Application is for transfer of the Divorce Petition No.A-225 of 2013 pending in the Family Court at Nashik to the Court of Civil Judge, Senior Division at Malegaon. Notice was issued to the respondent on 29.04.2014 for final disposal of the matter, with further observation that if the respondent fails to appear in the matter, the Court proceed to decide the matter on its own merits. Thereafter, the matter was listed before this Court on 30.10.2014. This Court had passed an order as under:

1. *Heard the learned counsel for the applicant.*
2. *Though respondents are duly served no one appeared on behalf of him when the matter was called out. Hence, matter is adjourned for one week. In the meanwhile, applicant is directed to inform the next date by Speed Post to the respondent.*

Accordingly, the learned counsel for the applicant submits that the respondent had been informed by Speed Post and the affidavit dated 11.11.2014 has been filed.

The applicant is the wife and a daughter aged 9 years and son aged 7 years are staying with her at Malegaon. The other difficulties are expressed in attending the Court at Nashik. The difficulties expressed in the application have not been converted. In view of this, the convenience of the wife is to be looked into and therefore, the application needs to be allowed.

In the result, the Misc. Civil Application is allowed. The Divorce Petition No.A-225 of 2013 pending in the Family Court at Nasik is transferred to the Court of Civil Judge, Senior Division Malegaon. No order as to costs.

JUDGE