

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

11 MISC.CIVIL APPLICATION NO. 126 OF 2014

PRAJAKTA NITIN SONAWANE

VERSUS

NITIN POPAT SONAWANE

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Mr. V.B.Madan Patil, Advocate for Applicant.

Mr. A.P.Avhad, Advocate for Respondent.

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CORAM : T.V.NALAWADE, J.

DATE : 20th JUNE, 2016

ORAL ORDER :-

. The application is filed by the wife – applicant for transfer of M.P. No. 77/2014, presently pending in the Court of the 3rd Ad-hoc District Judge, Pune to the District Court, Aurangabad. The proceeding is also filed by the husband for restitution of conjugal rights. Heard both sides.

2. It is the case of the wife that she is serving as Shikshan Sevika and she is required to take care of her daughter aged 2 years. It is her case that she may face difficulty in going to Pune to attend the proceeding by taking one attendant as she is required to take care of

her issue aged 2 years. It is her case that she can not afford to spend on litigation, conveyance and attendant to contest the proceeding filed by the husband in the Court at Pune. It is her case that the husband is working as Engineer at Pune and in any case he will be required to come to the Court at Aurangabad to contest the matter filed by the applicant and no inconvenience will be caused to him if both the matters are kept in one Court.

3. In view of the contentions and the submissions made, this Court holds that both the matters need to be brought to one Court to avoid conflicting decisions.

4. In the result, the application is allowed. M.P. No. 77/2014 pending in the Court of the 3rd Ad-hoc District Judge, Pune is withdrawn from that Court and is transferred to the District Court, Aurangabad. The new Court is to take care and see that the date of the proceeding transferred matches with the date of the proceeding filed by the wife. Both the parties to appear in the new Court on 22/07/2016. The new Court is to expeditiously dispose of M.P. No. 77/2014 and in any case within 6 months from the date of receipt of the record from the previous Court.

[T.V.NALAWADE, J.]