

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

1 MISC.CIVIL APPLICATION NO. 12 OF 2016

BHAGYASHRI W/O NARAYAN JAGTAP
VERSUS
NARAYAN S/O VITTHAL JAGTAP

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Advocate for Applicant : Bharaswadkar Priya R.
Advocate for Respondent : A.S. More
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CORAM : T.V. NALWADE, J.
DATED : 15th June, 2016.

ORDER :

1. The application is filed for transfer of H.M.P. No. 292/2015, presently pending in the Court of Civil Judge, Senior Division, Pune to the Court of Civil Judge, Senior Division, Nanded. Heard both the sides.

2. It is the case of wife that her place of residence is at the distance of 400 k.m. from Pune and she is not able to spend on litigation, conveyance and attendant. It is her case that she may not be in a position to contest the matter effectively if the aforesaid matter is kept at Pune. It was submitted by the learned counsel for wife today that though it is not mentioned in the petition, the wife has filed another proceeding under Domestic Violence Act bearing No. 54/2016 in Nanded and so, in any case, the husband will be required to come to Nanded and no

inconvenience will be caused to him if the two matters are brought at same station. The learned counsel for husband submitted that the husband is labour and he will face difficulty in attending the Court from Nanded as he may not be able to spend on litigation and conveyance. As there are two matters, this Court holds that for convenience of both the sides, both the matters need to be brought at one station.

3. In the result, the application is allowed. The aforesaid H.M.P. is withdrawn from the Family Court, Pune and is transferred to the Court of Civil Judge, Senior Division, Nanded. The new Court is to take care and see that the dates of the present matter matches with the dates of the matter filed by wife so that no inconvenience is caused to the parties. The parties are to appear in the new Court on 29.7.2016. The new Court is to dispose of the matter expeditiously and in any case, within four months from the date of receipt of the record.

[T.V. NALAWADE, J.]

SSC/