

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

16 MISC.CIVIL APPLICATION NO. 31 OF 2016

GOVIND BHAGIRATH RATHOD
VERSUS
SUREKHA GOVIND RATHOD

...
Advocate for Applicant : Nagori Girish
Advocate for Respondent : Veer Shrikant T.
...

CORAM : T.V. NALAWADE, J.
DATED : 4th April, 2016.

ORDER :

1. The application is filed by husband for transfer of H.M.P. No. 57/2015 filed by respondent wife for nullity of marriage u/s. 12 (1) (c) of Hindu Marriage Act, 1955. Both the sides are heard.

2. The submissions made and the contentions show that the husband has apprehension that he may not be in a position to effectively defend the matter in the present Court at Parbhani. It is contended that there was one incident in which husband was manhandled by the persons of other side. The husband feels that the wife and her relatives have political influence in that area and so, he cannot get justice there.

3. The aforesaid allegations are vague in nature. If the

husband has apprehension to his life, he can apply to the concern police station or District Superintendent of Police and the police may give protection, if required, after following necessary procedure. The convenience of both the sides need to be seen and the wife was receiving education when the petition was filed. It appears that she is M.B.B.S. Considering her age, it is not desirable to transfer the matter.

4. So, the application is rejected.

5. In case husband files application to District Superintendent of Police for protection, the police are to consider it after following procedure and depositing charges, if any.

6. On the request of both the sides, order is made that the trial Court is to expeditiously dispose of the matter and in any case, within six months from the date of receipt of the order.

[T.V. NALAWADE, J.]

ssc/