

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

4 MISC.CIVIL APPLICATION NO. 34 OF 2016

ALKA @ POOJA W/O GANESH GIRI
VERSUS
MANGAL S/O NARAYAN GIRI

...
Advocate for Applicant : B.G. Lathe
Advocate for respondent : S.S. Panale

...
5 MISC.CIVIL APPLICATION NO. 35 OF 2016

ALKA @ POOJA W/O GANESH GIRI
VERSUS
GANESH MANGAL GIRI

...
Advocate for Applicant : B.G. Lathe
Advocate for respondent : S.S. Panale

...
CORAM : T.V. NALAWADE, J.
DATED : 8th July, 2016.

ORDER :

1. Both the applications are filed for transfer. Heard both the sides.

2. The first proceeding is filed for transfer of Civil M.A. No. 38/2014 filed for custody of minor under section 13 of Hindu Minority and Guardianship Act and other provisions and it is pending in the Court of Additional District Judge, Latur. The transfer is sought by the present applicant, mother of the child to the District Judge, Vaijapur, District Aurangabad on the ground

that presently she is residing at Ranjangaon, Taluka Gangapur and it is not possible for her to go to Latur situated at the distance of around 250 k.m. It is her case that she has no source of income and she cannot contest the matter effectively if the matter is kept at Latur.

3. In the other proceeding, transfer of H.M.P. No. 31/2014 filed by husband for divorce is sought. The said proceeding is pending in the Court of Civil Judge, Senior Division, Latur and the prayer is made to transfer it to the Court of Civil Judge, Senior Division, Vaijapur, District Aurangabad. Similar grounds are mentioned in this application. Other side has opposed the application.

4. In view of the submissions made, this Court holds that both the applications need to be allowed.

5. In the result, both the applications are allowed. Civil M.A. No. 38/2014, presently pending in the Court of District Judge, Latur is hereby withdrawn from that Court and is transferred to the Court of District Judge, Vaijapur. H.M.P. No. 31/2014, presently pending in the Court of Civil Judge, Senior Division, Latur is withdrawn from that Court and is transferred to

the Court of Civil Judge, Senior Division, Vaijapur, District Aurangabad. Both the sides to appear in the new Courts on 26.8.2016. In the aforesaid terms, the applications are allowed and disposed of.

[T.V. NALAWADE, J.]

SSC/