

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

MISC.CIVIL APPLICATION NO. 37 OF 2016

Sau. Rani w/o Sudarshan Pawar **APPLICANT**

V E R S U S

Sudarshan s/o Gulab Pawar **RESPONDENT**

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Mr. S.V.Mundhe, Advocate for Applicant.

Mrs. M.L.Sangit, Advocate for Respondent.

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CORAM : T.V.NALAWADE, J.

DATE : 20th APRIL, 2016

ORAL ORDER :-

. The application is filed by the wife – applicant for transfer of H.M.P. No. 107/2015, presently pending in the Court of the Civil Judge [Sr. Division], Parbhani to the Family Court, Pune. Both sides are heard.

2. It is the case of the wife that she is house wife and she has no source of income for conveyance, litigation, etc. It is her case that it is difficult for her to go to Parbhani from Pune, as the distance between Pune and Parbhani is about 300 Kms. It is her case that one proceeding is filed by her under the provisions of the Domestic Violence Act at Pune and the husband is required to come to Pune to attend that proceeding.

3. Learned counsel for the husband strongly opposed the application by contending that F.I.R. is given by the wife. He submitted that only to harass the husband, present proceeding is filed.

4. This Court holds that for convenience of both sides, H.M.P. for divorce need to be transferred to the Court at Pune. The new Court is to see that one and same date is to be given in both matters. Further, there will be liberty to the husband to transfer the criminal case u/s 498-A of the Indian Penal Code to the Court at Pune for the convenience of both sides. New Court is to expeditiously dispose of the H.M.P. for divorce and preferably within six months from the receipt of the record from the previous Court. Both the parties to appear before the new Court on 20/06/2016.

[T.V.NALAWADE, J.]