IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

13 MISC.CIVIL APPLICATION NO. 49 OF 2016

POOJA DHANANJAY GOSAVI

VERSUS

MANGESH PRABHAKAR DESHMUKH
AND ANR.

.....

Mr. P.P.Kothari h/f Mr. S.S.Bora,
Advocate for Applicant.
Mr. S.S.Panale, Advocate for R – 1.

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CORAM : T.V.NALAWADE, J.
DATE : 1st AUGUST, 2016

ORAL ORDER :-

. The application is filed by the wife – applicant for transfer of H.M.P. No. 85/2014 which is pending in the Court of the Civil Judge [Sr. Division], Osmanabad to the Family Court/District Court, Latur. Heard Both sides.

2. It is the case of wife that she has filed proceeding for declaration that her marriage with present respondent is void. On the other hand, the husband has filed proceeding for dissolution of marriage. It is the case

of wife that if the matters are allowed to be kept in different Courts, there is possibility of conflicting decisions. Respondent No. 2 was also served, but he has not turned up.

3. In view of the aforesaid circumstances, this Court holds that it is desirable that both the matters are to decided by the same Judge. As such, the application needs to be allowed.

4. In the result, the application is allowed. H.M.P. No. 85/2014 pending in the Court of the Civil Judge [Sr. Division], Osmanabad is withdrawn from that Court and is transferred to the Family Court/District Court, Latur, where the Suit filed by the wife is pending. The new Court to take care that the date of the present matter matches with the date in other matters so that no inconvenience will be caused to the parties. Both the parties to appear in the new Court on 13/09/2016.

[T.V.NALAWADE, J.]