

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

MISC.CIVIL APPLICATION NO. 55 OF 2016

Sneha d/o Vilas Nageshwar @
Sneha w/o Govind Deveke **APPLICANT**

V E R S U S

Govind s/o Vaijinath Devke **RESPONDENT**

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Mr. V.B.Dhage, Advocate for Applicant.

Mr. M.P.Kale, Advocate for Respondent.

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CORAM : T.V.NALAWADE, J.

DATE : 16th APRIL, 2016

ORAL ORDER :-

. The application is filed by the wife – applicant for transfer of H.M.P. No. 86/2015, presently pending in the Court of the Civil Judge [Sr. Division], Gangakhed to the Court of the Civil Judge [Sr. Division], Kandhar. Both sides are heard.

2. It is the case of wife that she has filed divorce proceeding against husband and husband has filed proceeding u/s 9 of the Hindu Marriage Act. It is her case that she has filed proceeding under Domestic Violence Act and u/s 125 of the Code of Criminal Procedure in the Court at Loha. It is her case that distance between Loha and Kandhar is 10 Kms. It is her

case that she has no source of income and she may face problem for spending on litigation, conveyance and attendance. It is her case that in any case the husband will be required to come to Kandhar.

3. Learned counsel for the husband submitted that the husband is ready for mediation. Learned counsel for wife submitted that this attempt can be made in the Court at Kandhar also. Learned counsel for the husband submitted that husband is ready to give amount for conveyance and attendance.

4. It is not certain that as to how much time will be required to decide those cases. Further, divorce proceeding is filed by the wife on the ground of cruelty. There is possibility of conflict view in 2 matters. Considering the convenience of both sides, as husband will be required to go to Kandhar, this Court holds that the matter filed in the Court at Gangakhed can be transferred to the Court at Kandhar.

5. In the result, the matter pending in the Court of the Civil Judge [Sr. Division], Gangakhed is withdrawn from that Court and is transferred to the Court of the Civil Judge [Sr. Division], Kandhar. The new Court to take care that both the proceedings are to be kept on one and the same date so that no inconvenience is to be caused to the parties. The new Court is to expedite the matter and dispose of the proceedings within six months from the date of receipt of the record to the new Court.

Both the parties to appear in the new Court on 18/06/2016.

[T.V.NALAWADE, J.]

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