

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

934 MISC.CIVIL APPLICATION NO. 59 OF 2016

ASHWINI ANANT CHAUDHARI
VERSUS
ANANT LAXMIKANT CHAUDHARI

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Advocate for Applicant : Mr. Sikchi Aditya N.
Advocate for Respondents : Mr. A. B. Hawale

CORAM : T. V. NALAWADE, J

DATE : 26th April, 2016

PER COURT :

1. The application is filed by wife for transfer of HMP No. 273/14 filed for divorce by husband and which is pending before the Civil Judge, Senior Division, Pune to the Court at Beed. Both the sides are heard.

2. It is the case of wife that she is housewife though her occupation is shown as business. It is her case that she is required to take care of a kid of one year and she cannot afford to spend on travel, attendance etc. It is her case that distance between Beed and Pune is around 250 kms and she may not be in a position to contest the matter filed for divorce effectively, if the matter is kept in Pune court. It is her case that she has filed a case under the

Protection of Women from Domestic Violence Act in Beed Court and one criminal case for offence under section 498-A of the Indian Penal Code is also pending in Beed Court against the husband and in any case, the husband will be required to come to Beed to defend those matters and so no inconvenience will be caused to him.

3. Learned counsel for the husband has strongly opposed the application by contending that he is required to take care of his business at Pune and he is ready to pay something for traveling of the wife.

4. It is not certain as to how much time will be required for final disposal of the matter which is filed in Pune Court. Due to aforesaid circumstances, it will be difficult for the wife to attend the Court at Pune and to contest the matter effectively which is filed for divorce. On the other hand, care can be taken to see that no inconvenience is caused to both the sides by bringing all the three matters at one station. So the application is allowed.

5. Hindu Marriage Petition No.273/2014 is withdrawn from the Court of Civil Judge, Senior Division, Pune and is transferred to the Court of Civil Judge, Senior Division, Beed.

6. The new Court is to take care and see that the date of the present matter matches with the dates given in proceedings filed under the Domestic Violence Act and under Indian Penal Code against the husband.

7. New court is to take care and see that the present matter is expeditiously disposed of and in any case within six months from the date of receipt of the record from previous court.

8. The parties are to appear in the new court on 01.07.2016.

(T. V. NALAWADE, J.)

JPC