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

MISC.CIVIL APPLICATION NO. 79 OF 2016

**VARSHA W/O PRATHWIRAJ CHAVAN
VERSUS
PRATHWIRAJ S/O TARACHAND CHAVAN**

**...
Advocate for Applicant : Karad Murlidhar S**

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CORAM : T.V.NALAWADE

DATE : 21/06/2016

PER COURT :-

Heard. The application is filed for transfer of Hindu Marriage Petition No.265/2015 presently pending in the Court of Civil Judge, Senior Division, Jalna to Family Court at Aurangabad. Notice of the present proceeding was duly served on husband. Heard learned counsel for wife.

2] It is the case of wife that she is house wife and she has no source of income. It is her case that she has filed proceeding for restitution of conjugal rights in family court Aurangabad and after filing of the proceeding by her, husband filed the aforesaid proceeding in Court at Jalna only to harras her. It is her case that she

has filed one more proceeding under provisions of Domestic Violation Act against her husband in Aurangabad Court. It is her case that for convenience of both sides it is desirable that all the matters are kept at one station. It is her case that the matters need to be brought in one Court to avoid coming out conflicting decisions.

3] In view of the aforesaid unrebutted contentions and submissions, the application is allowed. Hindu Marriage Petition No.265/2015 is withdrawn from the Court of Civil Judge, Senior Division, Jalna and is transferred to Family Court, Aurangabad. The new Court is to take care and see that the matter filed by husband and matter filed by wife are heard and decided together. It is also to be seen that the date of these matters match the date of other matters filed by wife under provisions of Domestic Violence Act.

4] The new Court is to take care and see that notice is issued to the husband and it is served, as husband has not turned up in the present proceeding. Only after service of the notice to the husband, hearing of this proceeding which is transferred is to be started. Parties to appear before the new Court on **5th August, 2016.**

(T.V.NALAWADE,J.)

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