

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

11 MISC.CIVIL APPLICATION NO. 73 OF 2016

KRANTI W/O KUNAL SHINGADE
VERSUS
KUNAL S/O RAMKRUSHNA SHINGADE

Shri. K.R. Doke & S.K. Doke, Advocates, for applicant.

CORAM: T.V. NALAWADE, J.

DATE : 27 JUNE 2016

ORDER:

1) The application is filed by wife for transfer of Hindu Marriage Petition No.430/2015 presently pending in the Court of the Civil Judge, Senior Division, Dhule to the Court of the Civil Judge, Senior Division, Bhoom, District Osmanabad. The husband is duly served with the present proceeding but he did not turn up. Heard learned counsel for the wife.

2) It is the contention of the wife that the place where the proceeding is filed by the husband for restitution of conjugal rights is situated at the distance of

more than 350 kms from her place of residence. It is her case that she is housewife and she cannot afford to spend on conveyance, attendant etc. It is her case that she has also filed one proceeding under the Protection of Women from Domestic Violence Act in the Court from Washi which is situated at 15 to 20 kms from Bhoom and no inconvenience will be caused to the husband if the two matters are kept on the same date in the two Courts.

3) In view of the aforesaid contentions which are not rebutted, this Court holds that the application needs to be allowed. In the result, the application is allowed. The aforesaid Hindu Marriage Petition No.430/2015 is withdrawn from the Court of the Civil Judge, Senior Division, Dhule and is transferred to the Court of the Civil Judge, Senior Division, Bhoom, District Osmanabad. The new Court to take care and see that date of the present matter matches with the date of the proceeding filed by the wife in Washi Court so that no inconvenience is caused to the husband and he can come to these places for these two cases on the same date. The new court to issue notice to the husband on Court motion as he has not turned up

in the present proceeding. Only after service of the notice hearing of the present matter is to be started. The parties to appear before the new Court on 5th August 2016.

Sd/-
(T.V. NALAWADE, J.)

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