

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

9 MISC.CIVIL APPLICATION NO. 85 OF 2016

**PREETI @ MANKARNA W/O YOGESH
@ VIJAY AVANDHKAR**

VERSUS

**YOGESH @ VIJAY S/O NAVNATH
AVANDHKAR**

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Mr. G.J.Kore, Advocate for Applicant.

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CORAM : T.V.NALAWADE, J.

DATE : 4th JULY, 2016

ORAL ORDER :-

. The application is filed by the wife – applicant for transfer of H.M.P. No. 16/2016, presently pending in the Court of the Civil Judge [Sr. Division], Beed to the Court of the Civil Judge [Sr. Division], Bhoom, district Osmanabad. The respondent was duly served with the notice but he does not turn up. Heard learned counsel for the applicant.

2. It is the case of the wife that she has no source of income and she can not afford to spend on litigation, conveyance, attendant, etc. It is her case that

the distance between Beed and her place of residence is 70 Kms. It is her case that she will not be able to contest the matter effectively if the matter is kept in the Court at Beed.

3. In view of the contentions and the submissions made, this Court holds that application needs to be allowed.

4. In the result, the application is allowed. H.M.P. No. 16/2016, presently pending in the Court of the Civil Judge [Sr. Division], Beed is withdrawn from that Court and is transferred to the Court of the Civil Judge [Sr. Division], Bhoom, district Osmanabad. The new court to see that the notice on court motion be issued to the husband and only after service of it, hearing is to be started, as the husband did not appear before this Court. Both the parties to appear in the new Court on 26/08/2016.

[T.V.NALAWADE, J.]