

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

MISCELLANEOUS CIVIL APPLICATION NO. 86 OF 2016

Dnyaneshwary Prasad Mali/Khairnar,
Age 32 years, occup. Nil,
R/o C/o Prakash Raghunath Inamake,
At post Babhaleshwar, Tq. Rahata,
Dist. Ahmednagar .. Applicant

versus

Prasad s/o Arwind Mali/Khairnar,
Age 42 years, occup. Agriculture,
R/o Navi Holi Chowk, Sangamneshwar,
Malegaon, Tal. Malegaon, Dist. Nashik .. Respondent

Ms Suvarna M. Zaware, Advocate for applicant
Mr N. N. Desale, Advocate for respondent

CORAM : SUNIL P. DESHMUKH, J.
DATE : 24th August, 2016

ORAL JUDGMENT:

1. Rule. Rule made returnable forthwith.
2. Heard learned counsel for parties by consent finally.
3. This miscellaneous application has been moved by wife, seeking transfer of hindu marriage petition bearing no. 371 of 2015 filed at the instance of respondent for divorce, from the court of Civil Judge, Senior Division, Malegaon to the court of Civil Judge, Senior Division, Kopergaon.
4. It is being contended on behalf of the applicant that distance between Kopergaon and Malegaon is about 100 kilometers and the

applicant has been staying in her parental home at village Babhaleshwar in taluka Rahata, district Ahmednagar. It is further contended that the proceedings for restitution of conjugal rights have been instituted in the court at Kopargaon at the instance of the applicant bearing hindu marriage petition no. 234 of 2016.

5. Learned counsel for respondent although has reservation about distance between the two stations as is contended by applicant, is not in a position to dispute that one proceeding is pending in the court at Kopargaon and that the respondent has caused his appearance in the same.

6. Having regard to aforesaid, it would be expedient if both the proceedings are conducted at one and the same place.

7. In view of the same, miscellaneous civil application stands granted in terms of prayer clause (B) and is disposed of.

8. Rule made absolute accordingly.

SUNIL P. DESHMUKH,
JUDGE

pnd