

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

34 MISC.CIVIL APPLICATION NO. 59 OF 2014

MEERA HANMANATH KALYANKAR

VERSUS

HANMANATH JAMNAJI KALYANKAR

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Mr. K.D.Jadhav, Advocate for Applicant.

Mr. U.B.Bilolikar, Advocate for Respondent.

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CORAM : T.V.NALAWADE, J.

DATE : 20th JUNE, 2016

ORAL ORDER :-

. The application is filed by the wife – applicant for transfer of H.M.P. No. 7/2014, presently pending in the Court of the Civil Judge [Sr.Division], Biloli, Dist. Nanded to the Family Court, Aurangabad. Heard both sides.

2. The aforesaid proceeding is filed by the husband u/s 9 of the Hindu Marriage Act. It is the contention of the wife that she is house wife, she is resident of Aurangabad and she is required to take care of issue of 3 years. It is her case that she can not afford to spend on litigation, conveyance and attendant as she has no source of income. It is her case that Biloli is situated

at the distance of more than 350 Kms. from Aurangabad and she may not go to Biloli to contest the matter. It is her case that she has filed proceeding for maintenance against the husband in the Family Court at Aurangabad and in any case he will be required to contest that proceeding. It is her case that care of convenience can be taken by keeping the same date in 2 matters.

3. In view of the aforesaid circumstances, which are not disputed, this Court holds that the matter at Biloli needs to be transferred to the Family Court, Aurangabad.

4. In the result, the application is allowed. H.M.P. No. 7/2014, presently pending in the Court of the Civil Judge [Sr.Division], Biloli, Dist. Nanded is withdrawn from that Court and is transferred to the Family Court, Aurangabad. The present matter is to be kept on the same date on which the matter for maintenance in the Family Court, Aurangabad is kept for hearing so that no inconvenience will be caused to both sides. The new Court is to expeditiously dispose of the proceeding filed by the husband and preferably within 6 months from the date of the receipt of the record from the previous Court. Both the parties to appear before the new Court on 22/07/2016.

[T.V.NALAWADE, J.]

