

**IN THE HIGH COURT AT BOMBAY  
APPELLATE SIDE, BENCH AT AURANGABAD**

2 MISC.CIVIL APPLICATION NO. 97 OF 2016

PALAVI SHARAD PAWAR  
VERSUS  
SHARAD DHANRAJ PAWAR

...  
Advocate for Applicant : Patil Ujwal Subhash  
...

**CORAM : T.V. NALAWADE, J.**  
DATED : 10th June, 2016.

**ORDER :**

1. The application is filed for transfer of H.M.P. No. A-478/2015, presently pending in Family Court, Aurangabad to the Court of Civil Judge, Senior Division, Jalgaon. Notice of this application was given to the sole respondent. But nobody has turned up.

2. Heard the learned counsel for applicant, wife. It is the case of wife that she is required to take care of her child and she cannot afford to spend on conveyance, attendant for coming to Aurangabad from Chalisgaon which is situated at the distance of more than 100 k.m. It is her case that she has filed proceeding under section 125 of Criminal Procedure Code in Chalisgaon Court and she has also filed another proceeding under Domestic Violence Act in Chalisgaon Court. The distance

between Chalisgaon and Jalgaon is more than 90 k.m. It is the case of wife that attending Jalgaon Court will be convenient for her. Steps need to be taken for bringing all the matters at Jalgaon if the husband desires. He is at liberty to take such steps. In view of the aforesaid circumstances and the contentions which are unrebutted, this Court holds that application needs to be allowed.

3. So, the application is allowed. The aforesaid H.M.P. No. A-478/2015, presently pending in Family Court, Aurangabad is withdrawn from that Court and is transferred to the Court of Civil Judge, Senior Division, Jalgaon. There will be liberty to the husband as already observed. Parties to appear in the new Court on 15.7.2016. If the husband does not turn up to the new Court on that date, the new Court is to issue notice to husband and only after that the hearing of the matter is to be started.

**[ T.V. NALAWADE, J. ]**

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