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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISCELLANEOUS APPLICATION NO.80 OF 2015

Rajashri Jeevan Shinde
Age - 21 years, Occ - Household
R/o Bavi, Taluka - Washi,
District - Osmanabad
At Present residing at Dhakani,
Taluka and District - Latur

APPLICANT

VERSUS

Jeevan Dattu Shinde
Age - 27 years, Occ - Private Service
R/o Bavi, Taluka - Washi,
District - Osmanabad
Presently residing at Chandk Mill,
Agalgaon Road, Barshi,
Taluka - Barshi, District - Solapur

RESPONDENT

.....
Mr. R. K. Ashtekar, Advocate for the applicant
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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 16th FEBRUARY, 2016

ORAL JUDGMENT :

1. In spite of service and a long time thereafter, no appearance is caused on behalf of the respondent.
2. Rule. Rule made returnable forthwith and heard learned advocate for the applicant finally.
3. Learned advocate for the applicant states that the

applicant has no independent source of income. Her father has already expired. Her mother is a labourer and her younger brother is prosecuting studies. There is no source of income for these persons worth the name. It is submitted that distance between Latur and Bhoom is about 140 km. The financial capacity of these persons is weak and they would not be able to bear the traveling expenses of the applicant for attending to the dates in the court at Bhoom.

4. It is further being referred to that the applicant herself has filed Hindu Marriage Petition No.235 of 2014 for divorce before civil judge, senior division, Latur, which is pending and is being attended to by the respondent.

5. The contentions on behalf of the applicant, in the absence of the respondent, go uncontroverted. This to some extent is also an indication that the respondent does not want to oppose transfer of proceedings as is sought under the miscellaneous civil application.

6. In the circumstances, the miscellaneous civil application is allowed. Rule is made absolute in terms of prayer clause "B".

[SUNIL P. DESHMUKH, J.]