

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

MISCELLANEOUS CIVIL APPLICATION NO.154 OF 2016

Sau. Priya Girish Salunke,
Age 27, Occu. Household,
R/o c/o Shri Rajendra
Vedu Pawar, Age 17,
Haraje Colony, Deopur,
Taluka and District Dhule

..Applicant

Versus

Shri Girish Ramesh Salunke,
Age 34 years, Occu. Teacher,
R/o 41, Shrikrushna Nagar,
Shahnoorwadi, Opp. Laxmi
Provision, Aurangabad,
Taluka and District Dhule

..Respondent

Mr Vinesh Solshe, Advocate h/f Mr M.H. Patil, Advocate for applicant
Respondent-sole served

CORAM : SUNIL P. DESHMUKH, J.

DATE : 10th October 2016

ORAL JUDGMENT

1. Rule. Rule returnable forthwith. Heard learned counsel for the applicant finally with consent.
2. In spite of service, respondent has not caused appearance.
3. Learned counsel for the applicant states that this miscellaneous civil application is moved seeking transfer of judicial separation proceedings filed by respondent-husband bearing no. A-422/2014 from Family court, Aurangabad to the court of Civil Judge, Senior Division at Dhule.
4. It is being submitted that the applicant is not economically well placed and as such, has filed maintenance petition under section 125

of the Criminal Procedure Code, which is pending before the court of Chief Judicial Magistrate at Dhule. It is further submitted that her father is not able to accompany her to come to Aurangabad from Dhule to attend the proceedings on account of nature of his service.

5. The contents in the application go uncontroverted. Aforesaid apart, it will have to be considered that despite service, there is no appearance caused on behalf of respondent which in turn may tantamount to tacit acceptance of the aforesaid request under the miscellaneous civil application.

6. Miscellaneous civil application, as such, stands allowed in terms of prayer clause (C) and is disposed of. Rule made absolute accordingly.

SUNIL P. DESHMUKH,
JUDGE

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