

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

26 MISC.CIVIL APPLICATION NO. 110 OF 2015

SUMITA CHANDRASHEKHAR RUDRAWAR
VERSUS
CHANDRASHEKHAR SOMNATH RUDRAWAR

...
Advocate for Applicants : S.H. Panchal
Party in person Shri. C.S. Rudrawar for respondent - present.
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CORAM : T.V. NALAWADE, J.
DATED : 2nd May, 2016.

ORDER :

1. The application is filed for transfer of M.C.A. No. 175/2015, presently pending in Family Court, Pune to Family Court, Nanded. Both the sides are heard. The husband, respondent in person was heard.

2. The application is filed on the ground that wife had already filed proceeding u/s. 9 of Hindu Marriage Act, on 12.1.2015 and after that, the husband had filed similar proceeding in February 2015. It is the case of wife that one criminal case filed by wife under section 498-A of Indian Penal Code is also pending against the husband in the Court from Nanded and so, in any way, the husband will be required to go to Nanded to contest those matters and so, no inconvenience will be caused to him if the matter subsequently filed by him in Pune

Court is brought to Nanded Court. The husband argued on some circumstances which are mainly relating to the matter of evidence. There is no explanation as to why he filed another proceeding when the proceeding under section 9 of Hindu Marriage Act is already pending in the Court from Nanded. In view of these circumstances, this Court holds that the matters needs to be brought at one station.

3. In the result, the application is allowed. H.M.P. No. 175/2015, presently pending in the Family Court, Pune is withdrawn from that Court and is transferred to the Family Court, Nanded. The new Court is to take care and see that the dates of the matter filed by husband matches with the date in criminal case so that no inconvenience is caused to both the sides. Parties are to appear in the new Court on 16.5.2016.

[T.V. NALAWADE, J.]

ssc/