

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

Misc. Civil Application No.83 of 2015

Bhakti w/o Netaji Bhojane. **.. Applicant.**

Versus

Netaji s/o Narsing Bhojane. **.. Respondent.**

Shri. Sandip Swami Chakurkar, Advocate, for applicant.

Shri. R.D. Biradar, Advocate, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 17th JUNE 2016.

ORDER:

1) The application is filed by the wife for transfer of Hindu Marriage Petition No.3/2014 presently pending in the Court of the Civil Judge, Senior Division, Latur to the Court of the learned Civil Judge, Senior Division, Parbhani. Heard both the sides.

2) It is the case of the wife that the distance between Parbhani and Latur is around 200 kilometers and she has no source of income to spend on litigation, conveyance and attendant. It is her case that she will not be in a position to contest the matter filed against her for

divorce by the husband effectively if the matter is kept at Latur. It is her case that there are two proceedings filed against the husband in Parbhani Court like proceeding for maintenance and criminal proceeding for offence punishable under section 498-A of the Indian Penal Code. It is her case that in any case the husband will be required to come to Parbhani to contest the matter and by keeping all the matters on the same date in Parbhani Courts, care of convenience of both the sides can be taken.

3) Learned counsel for the respondent husband strongly opposed the application by contending that by filing many proceedings he is being harassed. He contended that the wife has left the company of the husband on her own and so the proceeding was required to be filed.

4) The husband is working in Tahsil office as Clerk when the wife has no source of income. Considering her age she will be required to take one attendant to go to Latur and for that also she will be required to spend. It is not certain as to how much time will be required or deciding the divorce proceeding. Two proceedings are

pending in Parbhani Court and so the husband will be required to go to Parbhani and no inconvenience will be caused to him if all the three matters are brought at one and the same station.

5) In the result, the application is allowed. The aforesaid proceeding is hereby withdrawn from the Court of the Civil Judge Senior Division Latur and is transferred to the Court of the Civil Judge Senior Division Parbhani. The new Court to take care and see that the date of the present mater matches with the dates given in other two proceedings filed by the wife so that no inconvenience is caused to both the sides.

6) The parties to appear before the new Court at Parbhani on 29th July 2016. The new Court is to expeditiously dispose of the divorce proceeding and in any case within six months from the date of receipt of the record from the previous Court.

Sd/-
(T.V. NALAWADE, J.)

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