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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISCELLANEOUS CIVIL APPLICATION NO.125 OF 2016

Soni w/o Mohan Sapkale
Age - 27 years, Occ - Service
R/o C/o C. B. Kadam, Harsh Nagar,
Near Global Water Plant,
Nanded, Taluka and District - Nanded

APPLICANT

VERSUS

Mohan s/o Madhukar Sapkale
Age - 30 years, Occ - Service
R/o Near Balaji Toli Kata,
Khadka Chophuli, Bhusawal,
Taluka - Bhusawal, District - Jalgaon

RESPONDENT

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Mr. Dhananjay M. Shinde, Advocate for the applicant

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 23rd NOVEMBER, 2016

ORAL JUDGMENT :

1. Rule. Rule made returnable forthwith and heard learned advocate for the applicant finally with consent.
2. In spite of service, no appearance is caused on behalf of the respondent.
3. This Miscellaneous Civil Application has been moved by applicant - wife for transfer of Hindu Marriage Petition bearing No.89 of 2016 initiated at the instance of respondent - husband

at Bhusawal to a court at Nanded.

4. Learned advocate for the applicant contends that under the circumstances referred to in the application, the applicant has been required to stay with her parents at Nanded. Distance between Bhusawal and Nanded is about four hundred and odd kilometers. From the marriage a son has been born, who is three year old. It is difficult for the applicant to attend to the proceedings at Bhusawal.

5. The concerns expressed by learned advocate for the applicant go uncontroverted under the absence of the respondent, which to a large extent can be deemed to be tacit acceptance of the veracity underlying the submissions. The non appearance further depicts that there is no particular resistance to the request made for transfer of proceedings under the Miscellaneous Civil Application.

6. In view of aforesaid, the Miscellaneous Civil Application stands granted in terms of prayer clause "B". Rule is made absolute accordingly. Miscellaneous Civil Application stands disposed of.

[SUNIL P. DESHMUKH, J.]