

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

MISCELLANEOUS CIVIL APPLICATION NO. 89 OF 2015

Aishwarya w/o Abhishek Dalwala
Age: 25 years, Occu: Household,
R/o. Plot No. 20, "Godavari" Ganesh Colony,
Jalgaon Tq. & Dist. Jalgaon,
At present r/o C/o Satyandraji Rajput
Plot No.2, S.B.H. Colony,
Himayat Bagh, In front of Delhi Gate,
Aurangabad

... Applicant

Versus

Abhishek s/o Ramesh Dalwala
Age: 32 years, Occu: Business,
R/o Plot No.20, "Godavari", Ganesh Colony,
Jalgaon, Tq. & Dist. Jalgaon,
At present R/o C/o Dr. Pawan Rana,
Survey No.26, Hingne Kd Sinhagad Road,
Pune 51

... Respondent

Mr. U. B. Bondar, Advocate for applicant

CORAM : SUNIL P. DESHMUKH, J.
10TH FEBRUARY, 2016

ORAL JUDGMENT :

1. Despite service, no appearance is caused on behalf of the respondent.
2. Rule. Rule made returnable forthwith. Heard learned counsel for applicant finally.
3. The applicant has moved this miscellaneous civil application for transfer of Hindu Marriage Petition seeking divorce bearing P.A. No. 485 of 2015 pending before the Family Court-1, Pune

4. Learned counsel points out that marriage between applicant and respondent has taken place in 2010 at Aurangabad. The respondent is a permanent resident of Jalgaon and has no nexus with the place of residence at Pune as has been shown in the Hindu Marriage Petition, except that it is his sister's residence and only with a view to harass the applicant, proceedings in Pune court have been instituted. He further submits that proceedings for restitution of conjugal rights have been instituted by the applicant in the family court at Aurangabad.

5. All the contentions as aforesaid go uncontroverted in the absence of any opposition from the other side. In the circumstances, it would be expedient to grant the application.

6. Accordingly, miscellaneous civil application is allowed in terms of prayer clause (A) and disposed of.

7. Rule is made absolute in aforesaid terms.

SUNIL P. DESHMUKH, J.

pnd