

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

Misc. Civil Application No.108 of 2015

Deepali w/o Rushikesh Bhosale. .. **Applicant.**

Versus

Rushikesh s/o Vinayakrao Bhosale. .. **Respondent.**

Shri. V.M. Maney, Advocate, for applicant.

Shri. Hanmant V. Patil, Advocate, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 5th JULY 2016.

ORDER:

1) The application is filed for transfer of Hindu Marriage Petition No.123/2015 presently pending in the Court of the Civil Judge, Senior Division, Latur. Heard both sides.

2) It is the case of the wife that Latur is situated at a distance of 280 kilometers from Aurangabad. She has no source of income for spending on conveyance, attendant etc. It is her case that she may not be in a position to contest the matter effectively if the matter is kept at Latur.

3) Learned counsel for the husband has strongly opposed the application by contending that there is no need to transfer the matter.

4) The submissions made show that the husband has not paid to the applicant-wife anything towards her maintenance. She has no source of income. In view of the aforesaid circumstances this Court holds that to enable the wife to contest the matter filed for divorce effectively the matter needs to be transferred.

5) In the result, the application is allowed. Hindu Marriage Petition No.123/2015 presently pending in the Court of the Civil Judge, Senior Division, Latur is hereby withdrawn from that Court and is transferred to Family Court Aurangabad. Both the parties to appear in the new Court on 8th August 2016. The new Court to expeditiously dispose of the matter and in any case within six months from the date of receipt of the record from the previous Court.

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

rs1