

drp

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISCELLANEOUS CIVIL APPLICATION NO.161 OF 2016

Vijaylaxmi w/o Nageshwar Nanna APPLICANT
Age – 25 years, Occ – Household
At present Baburao Shankarappa Nargunde,
R/o Ringrod, Sonar Nagar,
Behind Bhagwan High School,
Latur, Taluka and District – Latur

VERSUS

Nageshwar s/o Baswaraj Nanna RESPONDENT
Age – 28 years, Occ – Service
R/o Banishankar Near Zilla Parishad School,
Shelgi, Taluka and District - Solapur

.....

Mr. Rajdeep D. Raut, Advocate for the applicant

.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 13th DECEMBER, 2016

ORAL JUDGMENT :

1. Rule. Rule made returnable forthwith and heard finally with consent of learned advocate for the applicant. Despite service, none appears for the respondent.
2. This Miscellaneous Civil Application has been preferred by applicant – wife seeking transfer of proceedings bearing HMP No. A 147 of 2016 from Family Court, Solapur to a civil court at Latur.

3. It is being contended that distance between Latur, where the applicant is presently residing and Solapur, where the proceedings have been instituted by respondent – husband seeking divorce and dissolution of marriage, is 130 km. The applicant has to maintain a child of two months and it is difficult for her to carry the infant from Latur to Solapur to attend to the court proceedings. She further refers to various other difficulties to attend to the proceedings at Solapur.

4. All aforesaid contentions on behalf of the applicant go uncontroverted in the absence of the respondent, who has not caused appearance despite being served, giving an indication of acceptance of the submissions on behalf of the applicant.

5. In the circumstances, miscellaneous civil application stands allowed. Proceedings of HMP No. A 147/2016 pending in family court at Solapur be transferred to a civil court at Latur. Rule is made absolute in aforesaid terms.

[SUNIL P. DESHMUKH, J.]