

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

Misc. Civil Application No. 129 of 2014

Nita w/o Ashok Mane.

.. Applicant.

Versus

Ashok s/o Tatyasaheb Mane.

.. Respondent.

Shri. D.R. Markad, Advocate, holding for Shri. A.Y.
Pandule, Advocate, for applicant.

Respondent - served.

CORAM: T.V. NALAWADE, J.

DATE : 5th JULY 2016

ORDER:

1) The application is filed for transfer of Hindu Marriage Petition No.70/2014 filed by husband and presently pending in the Court of the Civil Judge, Senior Division, Waduj, District Satara. Notice of the present proceeding is served on the husband but nobody has turned up. Heard learned counsel for the applicant, wife.

2) It is the case of the wife that she is resident of Ahmednagar and she cannot afford to spend on conveyance, attendant etc. It is her case that the distance between Waduj, District Satara and Ahmednagar is around 300 kilometers. It is her case that she has filed one proceeding under the Protection of Women from Domestic Violence Act, 2005 in Ahmednagar Court and in any case the husband will be required to come to Ahmednagar to contest that matter.

3) In view of the unrebutted contentions made in the application and the submissions made this Court holds that the application needs to be allowed.

4) In the result, the application is allowed. Hindu Marriage Petition No.70/2014 presently pending in the Court of the Civil Judge, Senior Division, Waduj, District Satara is hereby withdrawn from that Court and is transferred to the Court of the Civil Judge, Senior Division, Ahmednagar. If the said matter is already disposed of, this order is to be ignored by the Court. If the matter is transferred, the new Court to take care and see

that the date of the present matter matches with the date of other proceeding filed under Protection of Women from Domestic Violence Act, 2005 by the wife so that no inconvenience is caused to both the sides. The wife to appear before the Court on 8th August 2016. The new Court to issue notice on Court motion to the husband, as he has not turned up in the present proceeding. After service of notice of the notice on the husband, the hearing of the proceeding is to be started.

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

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