

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

Office Memoranda of appearance, directions and Registrar's orders.	Notes, of Court's orders or	Office Coram,	Court's or Judge's orders.
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MISC.CIVIL APPLICATION NO. 154 OF 2015

SOW ARCHANA W/O ANIL GANDHALE
VERSUS
ANIL S/O BHAINAJI GANDHALE

Advocate for Applicants : Mr. Kalani Pravin N.

CORAM: T. V. NALAWADE, J.
DATED: 28th MARCH, 2016.

PER COURT:

1. The application is filed for transfer of HMP No.351 of 2015 which is presently pending in the Family Court at Nasik. The application is filed by wife for the transfer of the matter to the Court of Civil Judge, Senior Division, Parbhani. The notice of the present proceeding was served on the husband and one Advocate Mr. Tayade has filed appearance but at the time of hearing he did not remain present.

2. It is the case of the wife that she has no source of

income and she cannot afford to go to Nasik which is situated at a distance of 325 kilometers from Manwat. It is her case that she will be required to take one attendant with her to Nasik and she cannot afford to take attendant also. It is her case that she may not be in a position to contest the matter filed for divorce effectively if the matter is kept in the Court at Nashik. She has given the occupation of the husband as business of construction material.

3. In view of the aforesaid un-rebutted contentions this Court holds that the matter needs to be transferred to Parbhani Court. It appears that one matter is filed under the provisions of Domestic Violence Act and it is pending in Manwat Court and the husband can take steps to get the said matter also transferred to Parbhani Court for convenience of both the sides. So, the application is allowed. H.M.P. No. 351 of 2015 is withdrawn from the Family Court at Nasik and it is transferred to the Court of Civil Judge, Senior Division, Parbhani. If the husband does not turn up the notice is to be given at the expenses of the State, to husband and only after service of the notice on

husband, the divorce proceeding is to be tried. The parties are expected to appear before the new Court on 2nd May, 2016.

(T. V. NALAWADE, J.)

Dt.28/03/2016.
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