

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

**MISC.CIVIL APPLICATION NO. 164 OF 2015**

Sow. Sonali w/o Jagdish Gaikwad ..... **APPLICANT**

**V E R S U S**

Jagdish s/o Ghansham Gaikwad ..... **RESPONDENT**

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Mr. S.D.Kotkar, Advocate for Applicant.

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**CORAM : T.V.NALAWADE, J.**

**DATE : 2<sup>nd</sup> APRIL, 2016**

**ORAL ORDER :-**

. The application is filed by the wife – applicant for transfer of H.M.P. No. 275/2015, presently pending in the Family Court at Nashik to the Family Court at Aurangabad. Notice of the present proceeding was served on the respondent, but he has not turned up to defend the matter. Heard learned counsel for the applicant.

2. It is the case of wife that she has no source of income and husband is in service. It is her case that she can not afford to spend on conveyance, attendance, etc. As she has no source of income and the distance between Aurangabad and Nashik is around 200 Kms., the proceeding be transferred to Aurangabad. It is her case

that she had filed three proceedings under the provisions of Domestic Violence Act, for maintenance under the provisions of the Code of Criminal Procedure and Suit for maintenance under the provisions of Adoption and Maintenance Act. It is her case that in any case the husband is required to come to Aurangabad and so no inconvenience will be caused to him if the proceeding is transferred to the Family Court, Aurangabad.

3. In view of the submissions, the application is allowed. The aforesaid Hindu Marriage Petition is withdrawn from the Family Court, Nashik and transferred to the Family Court, Aurangabad. The new Court to take care that no inconvenience is to be caused to the parties and the matters filed by the wife are kept on the same date on which the proceeding filed by the husband will be kept. The new Court is to issue notice on court motion to the husband before starting hearing of the matter. The matter is to be heard only after service of the notice. Both the parties to appear in the new Court on 06/06/2016.

**[T.V.NALAWADE, J.]**