

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

915 MISC.CIVIL APPLICATION NO. 156 OF 2014

SAU. TAJASWINI NUPUR SHIRSATH

VERSUS

NUPUR OMPRAKASH SHIRSATH

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Mr. S.B.Solanke, Advocate for Applicant.

Mr. N.T.Tribhuwan, Advocate for Respondent.

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CORAM : T.V.NALAWADE, J.

DATE : 29th JUNE, 2016

ORAL ORDER :-

. The application is filed by the wife – applicant for transfer of Petition A. No. 383/2014, presently pending in the Family Court, Nashik to the Family Court, Aurangabad. Heard both sides.

2. It is the case of wife that the distance between Nashik and Aurangabad is around 200 Kms. and she has no source of income to spend on litigation,

conveyance, attendant, etc. It is her case that she will be required to take at least one attendant with her to Nashik and every time she may not be able to get the attendant. It is her case that she has filed proceeding under the provisions of the Domestic Violence Act and in any case the husband will be required to come to Aurangabad and so no inconvenience will be caused to him if both the matters are kept at one station and on the same date.

3. Learned counsel for the husband opposed the application by contending that the wife is not eager to return to the husband's house and she is harassing the husband.

4. The wife has no source of income. In view of the aforesaid circumstances, this Court holds that to enable the wife to contest the matter effectively, the matter needs to be transferred from the Family Court, Nashik to the Family Court, Aurangabad. No inconvenience will be caused to the husband as he will have to come to Aurangabad to contest the proceeding.

5. In the result, the application is allowed. Petition A. No. 383/2014, pending in the Family Court, Nashik is withdrawn from that Court and is transferred to the Family Court, Aurangabad. The new Court to take care that the date of the present matter matches with the date given in the proceeding filed by the wife in the Family Court, Aurangabad. The new Court is to expedite the matters and dispose of the proceeding under the

Domestic Violence Act within six months from the date of receipt of the record from the previous Court. Both the parties to appear before the new Court on 11/08/2016.

[T.V.NALAWADE, J.]

KNP/M.C.A. 156.2014.odt