

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

912 MISC.CIVIL APPLICATION NO. 178 OF 2015

MRS. ARCHNA SANDEEP PARKHE
VERSUS
SANDEEP BHASKAR PARKHE

Smt. Vanita H. Sangole, Advocate, holding for Shri. S.V. Sorte, Advocate, for applicant.

Shri. S.D. Kotkar, Advocate, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 16th MARCH 2016

ORDER:

1) The application is filed by the wife for transfer of Hindu Marriage Petition No.700075/2015 which is presently pending in the Court of the Civil Judge, Senior Division, Vaijapur. The husband has filed proceeding for restitution of conjugal rights. Both the sides are heard.

2) It is the case of the wife that she has two kids, aged about 3 & half years and 2 & half years. It is her case that she has filed proceeding under section 125 of Code of Criminal Procedure in the Court from Ahmednagar and that proceeding was filed by her in the

year 2014. It is her case that proceeding for restitution of conjugal right is filed in the year 2015. It is her case that she will face hardships and all kinds of difficulties for attending the Court from Vaijapur as she will have to take two kids and one attendant. It is her case she will have to take leave also.

3) Learned counsel for the husband submits that in past the husband was working in a private company from Pune but presently he is jobless and he is residing in Gangapur, District Aurangabad.

4) It appears that the distance between Ahmednagar and Vaijapur is more than 100 kilometers and the distance between Ahmednagar and Gangapur is about 70 to 80 kilometers. In any case the husband will be required to go to Ahmednagar to attend the proceeding filed under section 125 of the Cr.P.C. In view of these circumstances no inconvenience will be caused to the husband if the proceeding is transferred to Ahmednagar. Care can be taken to see that both the matters are kept on the same date.

5) So, the application is allowed. Hindu Marriage Petition No.700075/2015 presently pending in the Court of the Civil Judge, Senior Division, Vaijapur is withdrawn from that Court and is transferred to the Court of the Civil Judge, Senior Division, Ahmednagar. The parties are to appear in the new Court on 30th April 2016. The new Court to take care and see that the date of the present matter matches the date of the maintenance proceeding so that no inconvenience is caused to both the sides. The new Court is to expeditiously dispose of the matter and in any case within six months from the date of receipt of the record from the old Court.

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

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