

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

907 MISC.CIVIL APPLICATION NO. 25 OF 2016

MRS. RUPALI MANOJ INGLE
VERSUS
MANOJ VASANTRAO INGLE

...
Advocate for Applicant : G.A. Kulkarni h/f. Gawali Prashant B.
Advocate for Respondent : R.D. Thorat
...

CORAM : T.V. NALAWADE, J.
DATED : 23rd June, 2016.

ORDER :

1. The application is filed for transfer of H.M.P. No. 101/2014, presently pending in the Court of Civil Judge, Senior Division, Jalna to the Court of Civil Judge, Senior Division, Aurangabad. Both the sides are heard.

2. The application is filed by wife by contending that she is resident of Phulambri which is situated at the distance of 100 k.m. from Jalna and she is not in a position to spend on conveyance, attendant etc. It is the case of wife that she has filed one proceeding against husband under the provisions of Protection of Women from Domestic Violence Act in Phulambri Court. It is her case that she may not be able to go to Jalna to contest the matter filed for divorce against her effectively and so, the proceeding needs to be transferred to Aurangabad.

3. The submissions made show that the applicant is housewife and the husband is gainfully employed. In view of this circumstance, this Court holds that application needs to be allowed. There is circumstance like pendency of other proceeding filed by wife at Phulambri Court and husband can take steps like filing of proceeding in Sessions Court, Aurangabad for transfer of the said matter to the Court from Aurangabad. By transferring the said matter, care and convenience of both the sides can be taken and both the matters can be kept by both the Courts on the same date.

4. In the result, the application is allowed. H.M.P. No. 101/2014, presently pending in the Court of Civil Judge, Senior Division, Jalna is withdrawn from that Court and is transferred to the Court of Civil Judge, Senior Division, Aurangabad. Parties are to appear in the new Court on 22.7.2016. The learned counsel for husband requested for expeditious disposal of the divorce proceeding. The new Court is to dispose of the said proceeding expeditiously and in any case, within five months from the date of receipt of the record from the previous Court.

[T.V. NALAWADE, J.]

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