

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

MISCELLANEOUS CIVIL APPLICATION NO. 9 OF 2016

Sow. Suchita w/o Dilip Badgire
Age: 30 years, occup. household,
R/o Hudco, N-2, T.V. Center,
Aurangabad

.. Petitioner

versus

1. Shri Dilip s/o Dhananjay Badgire,
Age: 33 years, occup. Agriculture
and Business, r/o Sonvati, Tq. &
Dist. Latur.

2. The State of Maharashtra

.. Respondents

Mrs. Dipali Jape Ansingkar, Advocate for petitioner
Mr. C. S. Kulkarni, Advocate for respondent no. 1

CORAM : SUNIL P. DESHMUKH, J.

DATE : 27th September, 2016

ORAL JUDGMENT:

1. Rule. Rule made returnable forthwith. Heard the learned counsel for the parties finally, by consent.

2. This miscellaneous civil application by wife has been filed seeking transfer of the proceedings pending before the civil judge, senior division, Latur, initiated by by respondent-husband bearing hindu marriage petition no. 05/2015 to the family court at Aurangabad.

3. After hearing learned counsel, it transpires that a couple of proceedings have been initiated at the instance of present applicant at Aurangabad. In the circumstances, it is obvious that respondent in any case will have to be at Aurangabad for attending said proceedings albeit it is being contended that respondent is not responding to the notices.

4. Learned counsel for the applicant submits that since the two proceedings are pending in the court at Aurangabad, it would be in fitness of things that the hindu marriage petition pending in the court at Latur, is transferred to the court at Aurangabad.

5. Learned counsel for the respondent submits that there have been attempts for cohabitation between the parties but those have not produced desired result and as such purports to resist on that count the request being made under the present application.

6. In the circumstances, I deem it appropriate to grant the request made under the miscellaneous civil application.

7. At this point, learned counsel Mr. Kulkarni for respondent requests that the dates in the proceedings pending in the court at Aurangabad may be arranged so as to be convenient to the respondent to attend the same and further requests for expeditious disposal of the proceedings.

8. In the circumstances, miscellaneous civil application is allowed in terms of prayer clause (A) . Proceedings bearing hindu marriage petition no. 95/2015 pending before Civil Judge, Senior Division, Latur, stand transferred to the Family Court, Aurangabad. The dates in the proceedings at Aurangabad as far as possible be reasonably arranged in order to make those convenient for attendance by respondent. The proceedings be disposed of expeditiously, preferably within a period of twelve months from the date of receipt of writ of this order.

9. Rule made absolute in aforesaid terms. Miscellaneous civil application stands disposed of.

SUNIL P. DESHMUKH,
JUDGE

pnd