

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

904 MISC.CIVIL APPLICATION NO. 185 OF 2015

HARSHALI JEEVAN KEDARI
VERSUS
JEEVAN ARVIND KEDARI

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Advocate for Applicant : Mr. Jadhav Kiran D
Advocate for Respondent : Mr. Thorat R. D.

CORAM : T. V. NALAWADE, J

DATE : 26th April, 2016

PER COURT :

1. The application is filed by wife for transfer of HMP No. 500/2015 which is pending in the court of Civil Judge, Senior Division, Pune to the court of Civil Judge, Senior Division, Jalgaon. Both the sides are heard.

2. It is the case of the applicant wife that she is housewife and she cannot afford to spend on travelling, stay, attendant etc. It is her case that if the case is kept at Pune, she will not be in position to defend the matter filed against her effectively. Distance between Pune and Jalgaon is around 400 kms. It is her case that she has filed a case under the Hindu Marriage Act in the Court at Jalgaon. It is her case that other two matters are pending against the husband

like proceeding under the Protection of Women from Domestic Violence Act and criminal case under section 498-A of the Indian Penal Code at Jalgaon. It is her case that in any case, the husband will be required to come to Jalgaon to attend those matters. It is her case that no inconvenience will be caused to the husband if the matter from Pune is transferred to Jalgaon.

3. Learned counsel for the respondent husband submitted that husband is ready to pay the charges in respect of traveling expenses, expenses on attendant etc. The learned counsel submitted that this court has no jurisdiction to transfer the matter which is presently pending in the court at Pune.

4. There are three proceedings pending in the Court at Jalgaon. If the matter from Pune court is transferred to Jalgaon, it will be for convenience to of both the sides. The new court can take care and see that all the matters are kept on the same daate so that no inconvenience is caused to both the sides. It is not known as to how much time will be required for disposal of the matters and therefore there is force in the contention of wife that she may not be in position

to contest the matter effectively if the matter is kept at Pune. This court has jurisdiction to bring the matters in one court if the matters are pending in subordinate courts in Maharashtra. In the result, the application is allowed.

5. Hindu Marriage Petition No.500/2015 is withdrawn from the Court of Civil Judge, Senior Division, Pune and is transferred to the Court of Civil Judge, Senior Division, Jalgaon.

6. The new Court is to take care and see that the date of the present matter matches with the dates given in the other matters.

7. New court is to take care and see that the matter filed for divorce is expeditiously disposed of and in any case within six months from the date of receipt of the record from previous court.

8. The parties are to appear in the new court on 22.06.2016.

(T. V. NALWADE, J.)

JPC