

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

11 MISC.CIVIL APPLICATION NO. 187 OF 2015

VANDANA W/O SHARAD WABLE AND ANOTHER
VERSUS
SHARAD JANARDAN WABLE

Shri. Mane, Advocate, holding for Shri. Milind Patil,
Advocate, for applicant.

Shri. M.A. Dond-Patil, Advocate, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 5th JULY 2016

ORDER:

1) The application is filed by wife for transfer of Hindu Marriage Petition No.132/2011 presently pending in the Court of the Civil Judge, Senior Division, Kopergaon, District Ahmednagar to the Family Court, Nashik. Heard both sides.

2) It is the case of the wife that she has no source of income and she cannot afford to spend on conveyance and attendant. It is her case that her place of residence is situated 100 kilometers away from Kopergaon where the

matter is filed by the husband for divorce. It is her case that she has to take care of son aged 9 years and due to this circumstance also she may face difficulty in going to Kopergaon time and again. It is her case that she has filed at least three proceedings against the husband in Nashik Court like proceeding under section 125 of the Cr.P.C. for maintenance, complaint for offence under section 498A of the IPC and proceeding under Hindu Adoption and Maintenance Act etc. It is her case that in any case the husband will be required to come to Nashik to contest those matters and so no inconvenience will be caused to him if all the matters are brought at one and the same station.

3) Learned counsel for the husband submitted that in the divorce proceeding evidence of the husband is closed and if the wife cooperates the matter can be disposed of within few months. He submits that the husband is ready to spend on conveyance if the matter is kept at Kopergaon Court and there is no need to transfer the matter.

4) Though the husband has shown readiness to give some amount to the wife for conveyance things generally do not remain under control. It is not certain as to how much time will be required or decision of the divorce matter. Further in view of the aforesaid circumstances the wife will definitely be facing difficulties in going to Kopargaon.

5) In the result, the application is allowed. Hindu Marriage Petition No.132/2011 pending in the Court of the Civil Judge, Senior Division, Kopargaon is hereby withdrawn from that Court and is transferred to the Family Court at Nashik. The new Court to take care and see that the date of the present matter matches with the dates of other proceedings filed by the wife in the Courts from Nashik. The parties to appear before the new Court on 9th August 2016. The new Court to expedite the matter filed by the husband and in any case within six months from the date of receipt of the record from the previous Court.

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

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