

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABA

MISC. CIVIL APPLICATION NO. 10 of 2017

Kalpana W/o Anil Jadhav

...APPLICANT

VERSUS

Anil S/o Ramkrushna Jadhav

...NON-APPLICANT

Mr Vishnu Y. Patil, Advocate for applicant.

Mr C.R. Thorat, Advocate for non-applicant sole.

CORAM : NITIN W. SAMBRE, J.

DATE :9th October, 2017

ORAL ORDER :

The applicant/wife, who claims to be custodian of 2½ year child, is seeking transfer of proceedings from the Court of Civil Judge (Senior Division), Pune, to the Court of Civil Judge (Senior Division), Aurangabad, pursuant to Prayer Clause "B".

2. It is case of the applicant/wife that she is ready and willing to reside with the non-applicant and the distance between Pune and Aurangabad about 250 Kms. be considered, which would cause hardship to present applicant.

3. Per contra, learned Counsel for the non-applicant submits that there is video conferencing facility available in the Courts at Aurangabad and Pune and, as such, it is not necessary to transfer the proceedings. He is agreed for bearing conveyance charges of the applicant with one companion.

4. Considering rival submissions, it will be appropriate, in my opinion, to pass following order:

(I) The non-applicant shall immediately deposit amount of Rs. 6000/- (Rs. Six thousand only) in the Court of Civil Judge (Senior Division), Pune, and shall continue to deposit amount of Rs. 3000/- (Rs. Three thousand only), on each successive date thereafter. The applicant will be entitled for withdrawal of amount of Rs. 3000/- (Rs. Three thousand only), on each date, towards conveyance and other charges, provided she attends the proceedings.

(II) At the end of the proceedings, balance amount left be paid to applicant, which will be adjusted in due amount of maintenance.

5. With above observations, present application stands disposed of.

(NITIN W. SAMBRE, J.)

pjm