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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISCELLANEOUS CIVIL APPLICATION NO.32 OF 2017
WITH
MISCELLANEOUS CIVIL APPLICATION NO.59 OF 2017

Nirjani Ashish Raghuwanshi

APPLICANT

Age - 33 years, Occ - Nil

R/o At present c/o Hirashing Babushing Pardeshi

Plot No. 50-B, Jagtapwadi,

Khodai Mata Road, Nandurbar

Taluka and District - Nandurbar

VERSUS

Ashish Ravindra Raghuwanshi

RESPONDENT

Age - 34 years, Occ - Service

R/o House No. 13, Panchawati Nagar

Pipeline Road, Ahmednagar

Taluka and District - Ahmednagar

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Mr. Sandip R. Andhale, Advocate for the applicant

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 25th APRIL, 2017

ORAL JUDGMENT :

1. None for the respondent, despite service.
2. Rule. Rule made returnable forthwith and heard finally with consent of learned advocate for the applicant.
3. Both these miscellaneous civil applications have been moved by the applicant - wife for transfer of proceedings bearing

Hindu Marriage Petition No. 18 of 2017 instituted by respondent husband for restitution of conjugal rights and Miscellaneous Civil Application No. 10 of 2017 instituted seeking custody of minor child, from Ahmednagar to Nandurbar.

4. It is contended on behalf of the applicant that the applicant has to maintain her school going children. It has further been referred to that distance between Ahmednagar, where the proceedings have been initiated and Nandurbar, where the applicant is presently residing is about 400 km. The applicant is not getting maintenance from the respondent. Additionally, it is being referred to that proceedings for dissolution of marriage at her behest are pending at Nandurbar and the respondent has caused his appearance in the same.

5. Despite service, no appearance has been caused on behalf of the respondent. On earlier occasion, the matter was adjourned to see as to whether the respondent intends to cause appearance on his behalf. However, thus far no appearance has been caused on behalf of the respondent.

6. The circumstances do indicate that the respondent has no particular resistance to offer for transfer of the proceedings under the two miscellaneous civil applications, to Nandurbar. So

also veracity of the contentions raised on behalf of the applicant go uncontroverted.

7. In the circumstances, it would be expedient to grant the applications.

8. As such, the miscellaneous civil applications stand granted in terms of prayer clause "C" in respective applications. Rule is made absolute in aforesaid terms. Miscellaneous Civil Applications stand disposed of.

[SUNIL P. DESHMUKH, J.]

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