

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

26 MISCELLANEOUS CIVIL APPLICATION NO. 66 OF 2016

ZINNAT FATEMA W/O ABDUL WAHAB MANIYAR
VERSUS
ABDUL WAHAB S/O ABDUL RASHID MANIYAR

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Advocate for Applicant : Mr. Kshitij Surve.

Advocate for Respondent : Mr. G. R. Syed.

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CORAM : **N. W. SAMBRE, J.**

DATE : 12th June, 2017.

P.C.:

. The wife is seeking transfer of Regular Civil Suit No.305 of 2015, pending on the file of learned Civil Judge Senior Division, Parbhani to the Court of Civil Judge Senior Division, Majalgaon on the ground of hardship and convenience.

2 The parties are in agreement that other two proceedings taken out pursuant to the matrimonial discord are pending on the file on the Court at Majalgaon.

3 In the aforesaid background, while opposing the prayer for transfer, Mr. Syed, learned counsel for non-Applicant / husband would urge that the application is liable to be rejected as the suit is filed pursuant to the cause of action as disclosed therein. In addition, he

would offer payment of Rs.500/- towards personal expenses for each date.

4 Considered the submissions. It is not in dispute that a minor child is in custody of the present Applicant and two other proceedings are going on between the parties at Majalgaon. The offer of payment of expenses of Rs.500/- appears to be unreasonable.

5 Considering the hardship and convenience of the Applicant, in my opinion, the application needs to be allowed in terms of prayer clause (B).

6 It is worth to observe here that all the proceedings as far as possible be considered on the same date so that the parties are not put to inconvenience and will be required to attend the Court proceedings only once in all the matters.

[N. W. SAMBRE, J.]

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