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

MISC. CIVIL APPLICATION NO. 61 OF 2016

Smita w/o Shree Deodas,
Age: 37 years, Occ: Nil,
R/o. C/o. Makrand Mahukar Aher,
Flat no. 14, Krish Park Apartment,
Opp SBI Bank, Shree Nagar Colony,
Mahabal Road, Jalgaon,
Tal. & Dist. Jalgaon.

..APPLICANT

VERSUS

Shree s/o Shankar Deodas,
Age: 42 years, Occ: Service/
Technician, R/o. Bock no. a/984
Camp no.5, Kailash Colony,
Ulhasnagar, Dist. Thane.

..RESPONDENT

Mr Girish Nagori, Advocate for applicant;
Mr N.B. Suryawanshi, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 6th JUNE, 2017

ORAL ORDER :

The parties to the present proceedings were married on 16th June, 2006 at Nashik and out of matrimonial discord, various proceedings are initiated and pending at Jalgaon Court viz. Maintenance proceedings under Section 125 of the Code of Criminal Procedure, under Section 498-A of

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the Indian Penal Code and D.V. Proceedings.

2. The claim for transfer is resisted by Mr. Suryawanshi, learned Counsel for the respondent on the ground that proceedings at Kalyan Court as are initiated are very much tenable in law, as according to him, parties lastly resided together within jurisdiction of Kalyan Court.

3. But for proceedings being Hindu Marriage Petition No. 1019 of 2015 moved under the provisions of Section 13 (ia) which is pending at Kalyan Court, all proceedings are pending at Jalgaon Court.

4. In view of the fact that all the proceedings are pending at Jalgaon Court but for the proceedings at Kalyan Court, it will be appropriate, in my opinion, to order transfer of the proceedings in terms of prayer clause (B).

5. The application stands allowed in above terms.

(N.W. SAMBRE, J.)