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

MISC. CIVIL APPLICATION NO. 103 OF 2016

PREMA W/o NARENDRA KHADE
Age: 33 years, Occ: Private Teacher,
R/o. Labour Colony, Nanded. ..APPLICANT

VERSUS

NARENDRA S/o MUKUNDRAO KHADE
Age: 33 years, Occ: Private Job,
R/o. Behind Sant Tukaram College,
Arogya Colony, Near Dutt Mandir,
Parbhani. ..RESPONDENT

Mr Wajeed Ahmed Shaikh, Advocate for applicant;
Mr P.M. Gaikwad, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 12th JUNE, 2017

ORAL ORDER :

Hindu Marriage Petition No. 14 of 2016 is
filed by respondent-husband in the Court of Civil
Judge, Senior Division, Parbhani.

2. The parties to the application married on
12th July, 2011 and they are blessed with a
daughter aged about 4 years.

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3. The applicant-wife, after matrimonial discord, started residing at Nanded along with her parents and in the aforesaid background, prayed for transfer of Hindu Marriage Petition No. 14 of 2016 to Family Court, Nanded from the Court of Civil Judge, Senior Division, Parbhani.

4. Apart from hardship and inconvenience, it is brought to the notice of this Court that the applicant is also required to take care of minor daughter.

5. Per contra, Mr. Gaikwad, learned Counsel for the respondent-husband would submit that the marriage took place at Purna and since couple resided together lastly at Parbhani, it is the Parbhani Court which is having jurisdiction to try and decide the matter. Apart from above, learned Counsel for the respondent would urge that the applicant is self earning and in spite of same, respondent is ready and willing to bear expenses

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for travelling to the Court at Parbhani from Nanded. He would offer amount of Rs.500/- per date for the same.

6. Considered rival submissions. In my opinion, prayer for transfer of Hindu Marriage Petition No. 14 of 2016 made by the applicant to Family Court, Nanded from the Court of Civil Judge, Senior Division, Parbhani needs to be allowed, particularly having regard to the fact that the applicant is required to look after minor daughter and she is self employed. Apart from above, amount towards travelling and out of pocket expenses offered to the tune of Rs.500/- per date appears too meager to meet expenses. As such, Misc. Civil Application is allowed in terms of prayer clause (B).

(N.W. SAMBRE, J.)

Tupe