

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

MISC. CIVIL APPLICATION NO. 90 of 2017

Smt. Motimary W/o Claudius Sarode @ Stella,
age 36 years occupation nil
R/o Dr. Lobo's Building, R.No. 4, near Surbhi Complex,
Shivaji Nagar, Bhusawal District Jalgaon.

...PETITIONER

VERSUS

Claudius Sarode S/o Robert Sarode @ Vicky,
age 38 years occupation business
R/o Plot No. 1 & 2, Mahanubhav Nagar,
near St. Vincent Palloti School, Nagpur-13

...RESPONDENT

Mr. Shaikh Mohammad Naseer A., Advocate for petitioner

Mr A.P. Piratwad, Advocate for respondent sole

CORAM : NITIN W. SAMBRE, J.

DATE :27th September, 2017

ORAL ORDER :

It is not in dispute that other proceedings initiated by the applicant/wife are already pending in the Court at Bhusawal, which have been attended by the non-applicant/husband.

2. Though the claim for transfer is opposed by the learned Counsel for the respondent on the ground that the proceedings are initiated at Nagpur based on cause of action, in my opinion, having regard to the fact that distance between Nagpur and Bhusaval is about 400 Kms., the other proceedings are already admittedly pending at Bhusaval, looking to the convenience and hardships, case for transfer in favour of the applicant is made out.

3. Application stands allowed in terms of Prayer Clause "B".

(NITIN W. SAMBRE, J.)

pjm