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

MISC. CIVIL APPLICATION NO. 167 OF 2016

Asha w/o Lalit Nagare,
Age: 30 years, Occ: Medical Officer,
R/o. C/o Shivaji Ramrao Gholave,
Mitranagar, Beed,
Tq. & Dist. Beed. ..APPLICANT

VERSUS

Lalit s/o Dilip Nagare,
Age: 32 years, Occ: Medical Officer,
R/o. 1-Nagarenagar, Dhule Road,
Sakari, Tq. Sakari, Dist. Dhule. ..RESPONDENT

Mr D.P. Rakh, Advocate for applicant;
Mr N.N. Desale, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 29th JUNE, 2017

ORAL ORDER :

This is an application by wife seeking transfer of Hindu Marriage Petition No.226 of 2016 pending on the file of Civil Judge, Senior Division, Dhule to the file of Civil Judge, Senior Division, Beed, as it is claimed that other proceedings are pending at Beed and since non applicant is attending them, it will be convenient

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for her to attend said proceedings at Beed.

2. The claim is opposed by learned Counsel for non applicant on the ground that the applicant is presently not residing at Beed with her parents but she is pursuing her further studies at Thane and if proceedings are transferred to Thane, non applicant has no objection. According to him, convenience of the applicant to attend proceedings is at Thane, which is also convenient to the present non applicant.

3. The non applicant has given option for transfer of the proceedings either at Jalna or Aurangabad, to which, the applicant is not in agreement and she insisted for proceedings be transferred to Beed. Support is drawn from the judgment of this Court in the matter of **Sheetal Mahendra Devrukhkar vs Mahendra Kashiram Devrukhkar** reported in **AIR 2016(2) Bom R 717** and **Vaishali Shridhar Jagtap vs Shridhar Vishwanath Jagtap** reported in **AIR 2016 (SC) 3584** so as to urge that it is convenience of wife and her hardship

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which are required to be considered.

4. From the submissions made, it is to be noted that the proceedings are presently pending at Dhule. The said place admittedly is not convenient for the present applicant, however, it has to be noted that the applicant is presently pursuing her further studies at Thane and for that purpose, she is required to stay another two years at Thane.

5. Since the proposal for transfer of the proceedings at Thane is consented by both the parties, the proceedings being Hindu Marriage Petition No.226 of 2016 pending on the file of Civil Judge, Senior Division, Dhule stood transferred to the file of concerned Court at Thane.

6. Misc. Civil Application stands disposed of in above terms.

(N.W. SAMBRE, J.)