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

**MISC. CIVIL APPLICATION NO.154 OF 2017**

Kanchan w/o Ganesh Tambe,  
Age: 27 years, Occu: Household,  
R/o: C/o Indrabhan Karbhari Shelke,  
A/p Adgaon (Bk.), Tq. Rahata,  
Dist. Ahmednagar

..APPLICANT

VERSUS

Ganesh s/o Baban Tambe,  
Age: 28 years, Occu: Service & Agri.,  
R/o Dingore, Tq. Junnar,  
Dist. Pune

..RESPONDENT

Mr Amol S. Gandhi, Advocate for applicant  
Respondent in person

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

**DATE : 12th October, 2017**

**ORAL ORDER**

Heard.

2. It is not in dispute that the proceedings instituted under the provisions of Protection of Women from Domestic Violence Act and under Section 125 of the Code of Criminal Procedure are pending in the Court at Rahata.

3. The applicant-wife claims to be custodian of 2-1/2 years old daughter and has alleged that there is threat to her life. The applicant would invite attention of this Court to the injury certificates produced on

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record.

4. The respondent appeared in person and has tendered his reply, which is taken on record.

5. The claim for transfer of proceedings is opposed by the respondent-husband on the ground that he shall deposit an amount of Rs.2,000/- per date towards travel and incidental charges of the applicant, in the Court at Rajgurunagar and proceedings can be decided expeditiously.

6. The aforesaid contention of the respondent is rejected. In view of earlier history of violence and the fact that the applicant is custodian of 2-1/2 years old daughter, in my opinion, it will be appropriate to order transfer of the proceedings.

7. In view thereof, Misc. Civil Application stands allowed in terms of prayer clause (A).

**(NITIN W. SAMBRE, J.)**

amj