

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

MISCELLNEOUS CIVIL APPLICATION NO. 179 OF 2016

Savita Sandeep More ..APPLICANT

VERSUS

Sandeep Bhimrao More ..RESPONDENT

....

Mr. P.R. Katneshwarkar, Advocate for applicant.

Mr. K. V. Patil, Advocate h/f Mr. S.R. Barlinge, Advocate for respondent.

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CORAM : N.W. SAMBRE, J.

DATED : 13th JUNE, 2017

ORDER :

The proceeding H.M.P. No. 283 of 2015 is pending on the file of Civil Judge, Senior Division, Panvel, Dist. Raigad is sought to be transferred to the Court of Civil Judge, Senior Division, Dhule, Dist. Dhule.

2. The said proceeding is initiated by present respondent under Section 13(1)(ia) of the Hindu Marriage Act, 1955 for dissolution of marriage. Another proceeding initiated by present applicant under Section 9 of the Hindu Marriage Act, 1955 for restoration of conjugal rights is pending in the Court of Civil Judge, Senior Division, Dhule.

3. Though the prayer for transfer of proceeding is opposed by learned Counsel for the respondent, however, considering the fact that already proceeding under Section 9 is pending at Dhule, it is not convenient for the applicant to go all the way to Panvel alongwith a minor son as it would cause hardship to her. So in view of the above, it would be appropriate to allow the application. Therefore, present miscellaneous civil application is allowed in terms of prayer clause (B).

(N.W. SAMBRE, J.)

SSD