

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

MISC. CIVIL APPLICATION NO. 188 OF 2016

Priyanka w/o Yogesh Deobone
Age : 19 Yrs., Occ. Household,
R/o : C/o Ashok Manchelwad
House No. 20/8, New Shree
Residency Colony, Deolai Road,
Aurangabad.

..... APPLICANT

V E R S U S

Yogesh s/o Shivaji Deobone
Age : 25 Yrs., Occ. Farmer,
R/o : At post Kasoda,
Tq. Gangapur, Dist. Aurangabad.

..... RESPONDENT

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Mrs. R.R.Mane, Advocate for Applicant.

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CORAM : SUNIL P. DESHMUKH, J.

DATE OF JUDGMENT : 24th JANUARY, 2017

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ORAL JUDGMENT :

1. **'Rule'.** Rule made returnable forthwith.

2. Heard learned counsel for the applicant.

3. Misc. Civil Application has been moved for transfer of H.M.P. No. 96/2016 pending in the Court of the Civil Judge [Sr.Division], Vaijapur, district Aurangabad instituted by present respondent to the Family Court at Aurangabad. It is contended on behalf of the applicant that the proceedings lodged by the respondent at Vaijapur could not be able to be prosecuted by the applicant on account of various reasons. Primarily, according to the applicant, there is likelihood of threat to the body and life of the applicant as well as her parental relatives and further that it is difficult for the applicant to travel and attend the proceedings at Vaijapur, since the financial condition of the parents of the applicant is hard-pressed and the applicant has no source of income. Whereas, the respondent is able bodied, a farmer and is blessed with earning source. According to learned counsel for the applicant, thus, it would be convenient for the applicant to attend the proceedings if those are transferred from Vaijapur to Aurangabd.

4. In spite of service, no appearance is caused on behalf of the respondent indicating to a large extent tacit

consent to the request made in the Misc. Civil Application.

5. In view of aforesaid, Misc. Civil Application stands allowed in terms of prayer clause 'B' and is disposed of. Rule made absolute in above terms.

[SUNIL P. DESHMUKH, J.]

KNP/M.C.A. 188.2016 - [J]