

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

MISCELLANEOUS CIVIL APPLICATION NO. 200 OF 2016
SAU. JAYSHRI ASHISHKUMAR TELI
VERSUS
ASHISHKUMAR VISHWANATH TELI

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Advocate for Applicant : Shri Katneshwarkar P.R.
Advocate for Respondent : Shri Dabholkar Mandar M..

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CORAM: RAVINDRA V. GHUGE, J.
DATE :- 01st September, 2017

Per Court:

1 The Petitioner/wife has moved this application under Section 24 of the Code of Civil Procedure for seeking transfer of HMP No.194/2016 from the Court of the learned Civil Judge, Senior Division, Vasai to the Court of the learned Civil Judge, Senior Division at Bhusawal, District Jalgaon since the Petitioner resides at village Ainpur, Taluka Raver, District Jalgaon.

2 Learned Advocate for the Respondent has placed reliance upon the affidavit in reply filed on 08.02.2017. It is contended that the proceedings are filed at a place where the matrimonial home is situated. It is further submitted that the Respondent/ husband is ready to bear the costs of travelling expenses by railway so as to enable the Petitioner/ wife to attend the court hearings at Vasai.

3 I do not find any other explanation from the Respondent/

husband other than the one quoted above. He is an employee in an establishment which has its activity in Knowledge Process Outsourcing (KPO).

4 The law on this count has been settled by the Honourable Supreme Court as well as by this Court in the following judgments:-

- (a) Sumita Singh vs. Kumar Sanjay, AIR 2002 SC 396 : (2001) 10 SCC 41.
- (b) Dr.Sau.Nilima Mahesh Muley vs. Mahesh Madhavrao Muley, 2013 (1) ALL MR 398.
- (c) Sau.Kalpna w/o Pankaj Rozatkar vs. Pankaj s/o Supadu Rozatkar, 2014 (1) Mh.L.J. 32.
- (d) Mahadevi Gopal Mehetre vs. Gopal Prabhakar Mehetre, 2016 (4) ALL MR 599.

5 Considering the above, this application is allowed. HMP No.194/2016 shall stand transferred from the Court of the learned Civil Judge, Senior Division, Vasai to the learned Civil Judge, Senior Division, Bhusawal.

6 Since both the parties are before the Court, they shall appear before the concerned Court at Bhusawal on 22.09.2017. Formal notices need not be issued by the said Court.