

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

MISC. CIVIL APPLICATION NO. 209 OF 2016

Rekha Pravin Salve,
Age 31 years, Occu.: NIL,
R/o C/O Karbhari Nana Jadhav,
At Post Nagardevale, Taluka and
District : Ahmednagar

.. Applicant

Vs.

Pravin Sudhakar Salve,
Age 29 years, Occu. Service,
R/o Borgaonkar Chal, Sidharth Colony,
Flat No. 108, Chembur,
Mumbai – 400 071

.. Respondent

Mr. D.R. Adhav, Advocate for the applicant
None present for the respondent though served

CORAM : SUNIL P. DESHMUKH, J.
DATE : 23/01/2017

ORAL JUDGMENT:

1. Rule. Rule made returnable forthwith. Heard learned counsel for the applicant. None present for the respondent despite service.

2. Learned counsel for the applicant adverts to the circumstances that after marriage, she had been harassed and has been driven away as demand of money could not be satisfied by her brother. The applicant had initiated proceedings against the respondent under Protection of Women from Domestic Violence Act,

2005, at Amalner. Pursuant to the summons in the same, respondent has been attending said court proceedings at Amalner. However, in order to harass and vex the applicant, proceedings have been initiated for dissolution of marriage under section 13 of the Hindu Marriage Act, 1955 in family court at Bandra, Mumbai.

3. Learned counsel for the applicant further submits that it is very difficult for the applicant to attend the proceedings at family court, Bandra, Mumbai. He submits that her father and mother are no more and applicant's brother is not in a position to take up the financial liabilities of the applicant. Besides, the brother of the applicant would not be in a position to travel alone to Mumbai on the dates of the proceedings at Mumbai, he being hard pressed financially.

4. All aforesaid submissions on behalf of the applicant go un-controverted and, to a large extent, shows tacit consent to the request made in the miscellaneous civil application. In the circumstances, the Miscellaneous Civil Application is allowed in terms of prayer clause (B).

5. The proceedings from family court-III, Bandra, Mumbai, be transferred to competent court at Ahmednagar.

6. Rule is made absolute in aforesaid terms.

7. Miscellaneous Civil Application accordingly stands disposed
of.

[SUNIL P. DESHMUKH]
JUDGE

arp/