

The applicant is defendant in Regular Civil Suit No. 227 of 2016 pending on the file of Civil Judge, Junior Division, Udgir, District Latur, of which, transfer is sought under Section 24 of the Code of Civil Procedure before the Court

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of Civil Judge, Junior Division, Aurangabad.

2. Amongst other grounds as are raised are that there exists matrimonial dispute between daughter of the applicant and respondent and it is only by way of counter blast, present proceedings for recovery are initiated. It is claimed that the applicant, a Government servant, will not be at convenience to travel 300 kms. distance on each date on one side.

3. The claim is opposed on the ground that the suit is filed on the basis of independent cause of action.

4. Having considered the rival submissions, what could be gathered from the plaint is, the pleadings therein reflect an independent cause of action, which has nothing to do with matrimonial dispute. Apart from above, the applicant's personal presence is not required on each date in the said suit.

(3)

5. No case for interference under Section 24 of the Code of Civil Procedure is made out. Misc. Civil Application stands rejected.

(N.W. SAMBRE, J.)

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