

4. On 19.05.2016, the Respondent filed Marriage Petition No.1028 of 2016 seeking dissolution of marriage between him and the Applicant before the Court of 12th Joint Civil Judge (J.D.) at Pune.
5. Thereafter, the Applicant alongwith her daughter Vidhi filed Petition being Lodging No.351 of 2017 against the Respondent seeking maintenance and separate residence under Section 18(1) and (2)(b) of the Hindu Adoption and Maintenance Act, 1956.
6. According to the Applicant, she is not acquainted with the city of Pune and on each date of hearing, she will have to depend upon some male person in her family to accompany her and her minor child to Pune as an escort. Since her brother is employed and her father is an illiterate person and is residing at Satara, it will not be possible for any male member of her family to accompany her to Pune. Even otherwise, she is unemployed and has no independent source of income. She has no funds to undertake the journey to Pune alongwith her minor child and an escort, which journey would consume (take up) the whole day. The financial condition of her parents is very weak and they are leading a hand to mouth existence. As against this, the Respondent is carrying on transport business and is earning very well. He owns a brand new Maruti Suzuki Swift Car ZXI model bearing Registration No.MH-14-BK-8166 by which he can undertake the journey from Pune to Mumbai. Even otherwise, he will be attending the proceedings filed by the Applicant under the Hindu Adoption and Maintenance Act, 1956, before the Family Court at Bandra, Mumbai. It is

therefore submitted that the above Application be allowed.

7. The Learned Advocate representing the Respondent initially submitted that the Applicant ought to attend the proceedings filed by the Respondent at Pune, However, when this Court pointed out to her that the Court is satisfied that grave inconvenience and hardship would be caused to the Applicant to travel all the way from Mumbai to Pune alongwith her child who is just 18 months old and even otherwise, the Respondent is attending/shall be attending the proceedings filed by the Applicant under the Hindu Adoption and Maintenance Act, 1956 before the Family Court, Bandra, the Learned Advocate appearing for the Respondent submitted that in that event, the hearing of the Marriage Petition No.1068 of 2015, which the Court is inclined to transfer to the Family Court at Bandra be expedited. In the circumstance, I pass the following Order:

- (a) The Marriage Petition No. 1068 of 2015 filed by the Respondent-husband is directed to be transferred from the Court of the 12th Joint Civil Judge (J.D.) at Pune to the Family Court at Bandra, Mumbai and heard alongwith the Petition No.351 of 2017 filed by the Applicant under the Hindu Adoption and Maintenance Act, 1956 which is already pending before the Family Court at Bandra;
- (b) Hearing of both the Petitions is expedited and the Learned Judge hearing the matter shall endeavor to dispose off both the Petitions within a period of seven months from the date of this Order;
- (c) The Court of the 12th Joint Civil Judge (J.D.) at Pune is directed to

forthwith transmit the papers and proceedings of Marriage Petition No. 1028 of 2016 to the Family Court at Bandra, Mumbai;

(d) The parties as well as the Court of the 12th Joint Civil Judge (J.D.) at Pune and the Family Court at Bandra, Mumbai to act on an authenticated copy of this Order ;

(e) The parties and/or their Advocates shall appear before the Family Court at Bandra, Mumbai on 21st August, 2017 at 11.00 a.m. and obtain appropriate orders/ directions.

8. The Miscellaneous Civil Application is allowed in the aforesaid terms, with no order as to costs.

(S.J.KATHAWALLA, J.)