

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO. 33 OF 2017

PRITI RAMESH SONWANE
VERSUS
RAMESH NANABHAU SONWANE

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Advocate for Applicant : Shri Londhe Shashikant S
Advocate for Respondents : Shri Kochar Mahendra G.
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CORAM : RAVINDRA V. GHUGE, J.
Dated: February 22, 2018
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PER COURT :-

1. While passing an order on 16.1.2018, the contentions of the applicant / wife were recorded in the order as under:-

"1. This matter is heard for some time. The applicant prays for transferring H.M.P. No. 68/2016, from Nandurbar to Hingoli, which is a distance of about 480 k.m. There are two other proceedings initiated by the applicant/wife at Hingoli, with regard to seeking maintenance and under the Domestic Violence, Act.

2. After considering the submissions of the litigating sides, it appears that one attempt to resolve the matrimonial dispute can be made, so as to save the marriage and the future of the girl child who is about 1 1/2 years old.

3. *Learned advocates for the respective sides submits that both the litigating sides would remain present in this Court on the next date with the intention of resolving the dispute.*

4. *By consent of the parties, stand over to 01/02/2018, in the urgent admission category. Until then, H.M.P. No. 68/2016, along with Miscellaneous Criminal Application No. 36/2016 and Miscellaneous Criminal Application No. 332/2016, pending before the respective Courts at Nandurbar and Hingoli, shall be adjourned."*

2. Learned counsel for the respondent / husband has opposed this application and submits that the wife desires to harass the husband. This application is filed only to cause harassment. He is working as a Clerk in the School.

3. Considering the law laid down by the Honourable Apex Court in the matter of Soma Choudhary Vs. Gourab Choudhary [(2004) 13 SCC 462], Anjali Ashok Sadhwani Vs. Ashok Kishinchand Sadhwani [AIR 2009 SC 1374], Vaishali Shridhar Jagtap Vs. Shridhar Vishwanath Jagtap [AIR 2016 SC 3584] and Sayali Swapni Kuber Vs. Swapni Harischandra Kuber [2014 (1) Mh.L.J. 584], unless the husband can post such circumstances that it would be impossible for him to attend the Court

proceedings at the place of choice of the wife, the convenience of the wife has to be considered. Two proceedings initiated by the wife are in the Courts at Hingoli and the respondent / husband is attending those proceedings at Hingoli.

4. Considering the above, this application is allowed in terms of prayer clause (B). The respondent / husband would be at liberty to pray for listing the said proceedings before the Hingoli Court on the same date on which the other two proceedings would be posted so as to attend to the Court proceedings on the same date.

(RAVINDRA V. GHUGE, J.)

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