

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

MISC.CIVIL APPLICATION NO. 71 OF 2018

POOJA SAGAR DHANDHORE
VERSUS
SAGAR SUBHASH DHANDHORE

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Advocate for Applicant : Mr Bhokarikar Madhav M

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CORAM : V.K. JADHAV, J.
Dated: April 02, 2018

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PER COURT :-

1. I do not find any substance in this Misc. Civil Application. The petitioner/wife is seeking transfer of the Civil Misc. Application no.34/2017 pending before the District Court, Nandurbar to the Court of the District Court, Bhusawal.

2. It appears that, the respondent/husband had filed HMP No.34/2015 before the Civil Judge S.D., Nandurbar for restitution of conjugal rights and by judgment and order dated 9.8.2017 the learned Civil Judge S.D. Nandurbar has allowed the said HMP. The petitioner has challenged the said order passed in HMP No.34/2015 before the District Court, Bhusawal alongwith the civil MCA No.34/2017 for condonation of delay. It also appears that, during the pendency of the said HMP No.34/2015 the petitioner/wife

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has filed an application seeking interim maintenance and the learned Civil Judge S.D. also granted certain amount as interim maintenance for which the Regular Darkhast has been filed in the court at Nandurbar by the petitioner. The petitioner is also seeking transfer of the said Darkhast to Civil Judge S.D. Bhusawal.

3. I do not think that the petitioner needs to attend each and every date of the application filed before the District Court seeking condonation of delay and, even thereafter, if, such an application seeking condonation of delay is allowed by the District Court, Bhusawal, the petitioner/wife had appeared in the HMP No.34/2015 before the Civil Judge S.D. Nandurbar, participated in the proceeding and also filed an application for interim maintenance. In view of the same, I do not find any substance in this Miscellaneous Civil Application. Miscellaneous Civil Application is hereby dismissed. No costs.

(V.K. JADHAV, J.)

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