

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC. CIVIL APPLICATION NO. 157 OF 2018

APARNA @ HEMANGI BHUSHAN SONWANE
VERSUS
BHUSHAN ASHOK SONWANE

Advocate for Applicant : Mr. Y.K. Bobade h/f. Mr. A.B. Haawale.

CORAM : RAVINDRA V. GHUGE, J.
Dated : 07th December, 2018

PER COURT :

1. While issuing notice on 09/10/2018, this Court had passed the following order :

“1. The applicant wife seeks transfer of HMP-A No.327/2018 filed by the respondent / husband, from the learned Family Court, Nashik, Dist. Nashik to the Court of learned Civil Judge, S.D. Vaijapur, Tq. Vaijapur, Dist. Aurangabad.

2. The applicant is residing with her parents after being driven out of the marital home. She was harassed and tortured. An adult member of the family has to accompany her to attend the Court proceeding at Nashik.

3. Reliance is placed upon the following judgments:-

(i) Vennangot Anuradha Samir Vs. Vennangot Mohandas Samir- 2016 (1) Bom.C.R.250,

(ii) Soma Choudhuri Vs. Gourab Choudhuri (2004) 13 SCC 462,

(iii) *Anjali Ashok Sadhwani Vs. Ashok Kishinchand Sadhwani, AIR 2009 SC 1374*

(iv) *Vaishali Shridhar Jagtap vs. Shridhar Vishwanath Jagtap – 2016 AIR (SC) 3584*

(v) *Sayali Swapnil Kuber Vs. Swapnil Harishchandra Kuber-[2014(1) Mh.L.J. 584],*

(vi) *Nilima Vs. Pavansingh – LEX (BOM)2011 9 193 and*

(vii) *Shila Nitin Rajure Vs. Nitin Marotiappa Rajure - MCA No. 184 of 2017 (Aurangabad Bench), dated 9.1.2018.*

4. *Issue notice to the respondent, returnable on 07.12.2018. Until then the trial Court will adjourn HMP-A No.327/2018.*

5. *Copy of the paper book for issuance of notice shall be supplied and all objections shall be removed on/or before 23.10.2018, failing which this application shall stand rejected without reference to the Court on 24.10.2018.”*

2. The court notice has now been served on the respondent. No appearance is entered.

3. In the light of the above and for the reasons recorded in the order dated 09/10/2018, this application is allowed in terms of prayer clause ‘B’ which reads as under :

“The Petition-A No. 327 of 2018 pending before the Ld. Family Court, Nashik, Dist. Nashik, may kindly be transfer to the Court of Ld. Civil Judge Senior Division, at Vaijapur Tq. Vaijapur, Dist. Aurangabad and for that purpose issue necessary order.”

4. The applicant/wife would appear before the Court at Vaijapur on 07/01/2019. Notice would be issued to the respondent by the Court, after the transfer of proceedings.

(RAVINDRA V. GHUGE, J.)

S.P.C.