

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO. 212 OF 2017

AMITA ASHOK DHOKA
VERSUS
ASHOK CHUNNILAL DHOKA

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None present.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: March 23, 2018

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PER COURT :-

1. None for the applicant.
2. Despite service of court notice, sole respondent has not entered an appearance.
3. I have gone through the reasons putforth in the memo of the application for seeking transfer of HMP No.142 of 2017 to the Court of the learned Civil Judge S.D., Beed.
4. The Honourable Supreme Court in the matters of Sumita Singh vs. Kumar Sanjay [AIR 2002 SC 396], Soma Choudhury vs. Gourab Choudhary [(2004) 13 SCC 462], Mona Aresh Goel vs. Aresh Satya Goel [AIR 2000 SCW 2652], Anjali Ashok Sadhwani vs. Ashok

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Kishinchand Sadhwani [AIR 2009 SC 1374] and Vaishali Shridhar Jagtap vs. Shridhar Vishwanath Jagtap [AIR 2016 SC 3584], has concluded that in matters of transfer of proceedings, normally the convenience of the wife has to be kept in focus. In the event, the husband indicates serious difficulties and establishes his inability to travel to the place where the matter is to be transferred, on account of his work exigency or other compelling reason, the Court can always take a different view in the matter.

5. Considering the above, this application is allowed in terms of prayer clause (A). If some proceedings instituted by the applicant wife are pending in any Court at Beed, the respondent / husband would be at liberty to seek a common date in the matters at Beed so as to attend the said proceedings on the same date.

(RAVINDRA V. GHUGE, J.)

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