

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO.215 OF 2017
(Vaishali Ganesh Jire Vs. Ganesh Chandrakant Jire)

Mr.S.B.Kadu, Advocate for the applicant.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 11/12/2018

PER COURT :

1. The applicant/wife prays for transferring Petition No.182/2017 from the Family Court, Aurangabad to the Court of the learned Civil Judge, Sr.Division at Kopargaon.
2. The respondent / husband has been served through paper publication. No appearance has been entered.
3. It is stated that the applicant got married on 19/06/2016. She was driven out of her marital home on 16/03/2017. She has suffered physical and mental cruelty. She was unaware about the criminal background of the respondent which is evident from various cases registered against him in different police stations. Due to her suffering domestic violence, she has filed a case No.132/2017 and Misc.Application No.391/2017 at Kopargaon for seeking maintenance. The husband attends the proceedings at Kopargaon.

4. Reliance is placed on 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 Harischandra 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.

5. In view of the above, this application is allowed and petition No.182/2017 is transferred to the Court of the learned Civil Judge, Sr.Division at Kopergaon and the applicant shall appear before the same Court on 15/12/2018 since the other proceedings are also posted on the same date at Kopergaon. The respondent/husband is at liberty to make a request that all the proceedings before the Kopergaon Court can be posted on the common date so that he can appear in the said proceedings in his visits to Kopergaon.

(Ravindra V.Ghuge, J.)