

2 Heard both sides. The learned Counsel appearing for the applicant/husband submits that the respondent/wife is residing at Pune. The applicant has initiated petition for divorce against the respondent and the same is pending in the Family Court at Pune. Therefore, the proceedings for claiming maintenance can be conveniently dealt with by the said Court at Pune.

3 The learned Counsel appearing for the respondent/wife opposed the application by contending that the respondent/wife is temporarily residing at Pune and she had quit the job from Pune.

4 The learned Additional Public Prosecutor appears for the State.

5 I have considered the rival submissions and also perused the material placed on record. Undisputedly, divorce petition bearing P.A.No.1275 of 2017 initiated by the applicant against the respondent is pending for adjudication at the Family Court at Pune. The respondent/wife has not disputed the fact that her son is staying with her and is taking education at Pune. This implies that the respondent/wife is residing at Pune.

6 In this view of the matter, general convenience of the parties requires that the proceedings for maintenance pending in the Court of the learned Judicial Magistrate First Class, Manmad needs to be transferred to the Family Court at Pune. Therefore, the Order :

ORDER

- (i) The application is allowed.
- (ii) Criminal Miscellaneous Application bearing No.140 of 2017 under Section 125 of the Code of Criminal Procedure pending on the file of the learned Judicial Magistrate First Class, Manmad is transferred to the file of the learned Family Court, Pune, where petition for divorce between the parties is pending.
- (iii) The parties are directed to appear before the learned Family Court at Pune in the maintenance proceedings on **29th November 2018.**
- (iv) With this, the application stands disposed of.

(A.M.BADAR J.)

Raju
Dattatraya
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