

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

MISC. CIVIL APPLICATION NO. 1095 OF 2016

Mrs. Sharda Dilip Dhanbhate...VS... Dilip Dadarao Dhanbhate,

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms.Gayatri A. Bhandakkar Counsel for the applicant.

CORAM : M. S. KARNIK, J.

DATE : 25.06.2018.

This is an application filed by the applicant/wife for transfer of the Hindu Marriage Petition No.A-295 of 2015 pending on the file of Family Court, Amravati to the Court of Civil Judge Senior Division ,Wardha.

None for the respondent though he is duly served.

The marriage between the parties was solemnised on 06.06.2009. Out of the wedlock, a female child was born on 29.3.2010. Now she is 8 years old. The respondent ill treated the applicant and therefore, she

Kavita.

had no option but to leave the matrimonial home in Amravati with effect from 15.10.2011 and since then she is living with her parents at Wardha. The applicant is a house wife and has no source of income. She has to depend on her parents for her livelihood. Her parents are also bearing expenses of her daughter. The learned counsel for the applicant on instructions orally submits that the respondent has been directed to pay maintenance to the applicant, but the maintenance amount is not being paid regularly. It appears that the respondent is working with the police department.

In this light of the matter, considering the fact that the applicant has to look after her child who is 8 years of age and is dependent on her parents for her livelihood it would be in the interest of justice if the proceedings are transferred as prayed for. Taking into consideration the totality of circumstances, in my opinion the application of the wife deserves to be allowed.

Kavita.

In the light of the circumstances mentioned herein before the application is allowed in terms of prayer clause (i). No order as to costs. Misc. Civil Application is disposed of.

JUDGE

Kavita.