

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

MISC.CIVIL APPLICATION NO.63 OF 2019

TILOTTAMA @ CHANCHAL GAJANAN SASANE  
VERSUS  
GAJANAN ASHOK SASANE

...  
Advocate for the Applicant : Shri N.K.Tungar.

...  
**CORAM: RAVINDRA V. GHUGE, J.**  
**DATE :- 04<sup>th</sup> June, 2019**

**Per Court:**

1           Despite service of court notice, the respondent/ husband has failed to appear either in person or through an advocate.

2           On 19.03.2019, this Court had passed the following order :-

- "1.   None present for the applicant.
2.   The applicant/wife prays for transferring the Marriage Petition No.160/2018, filed by the respondent/husband, from the Family Court at Pune, to the Family Court at Ahmednagar.
3.   The applicant is residing with her parents after being driven out of the marital home. She was ill treated, harassed and physically abused. A girl child is born who is about one year old. The applicant has preferred Criminal Application No. 34/2018, before the learned Judicial Magistrate, First Class, Parner.
4.   In my view, the following judgments would support the case of the applicant :
  - (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.*
4. *Issue notice to the respondent, returnable on 26.4.2019. Until then, the trial Court will adjourn Marriage Petition No. 160/2018 .*
5. *Copy of the paper book for issuance of notice shall be supplied and all office objections shall be removed on/or before 28.03.2019, failing which this application shall stand rejected without reference to the Court on 29.03.2019."*

3           In view of the above, this Miscellaneous Civil Application is allowed in terms of prayer clause "B" and Marriage Petition No.160/2018 shall stand transferred from the learned Family Court, Pune to the learned Family Court at Ahmednagar.

4           The applicant/ wife shall appear before the concerned court at Ahmednagar on 12.07.2019. Notice to the respondent/ husband can be issued by the said court for causing his appearance.