

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

MISC.CIVIL APPLICATION NO.57 OF 2019

KAVITA KISHOR KURDE
VERSUS
KISHOR RAMDAS KURDE

...

Advocate for the Applicant : Shri M.S.Shaikh h/f Shri Deshmukh Sachin S.
Advocate for the Respondent : Shri Jadhav Vivek U.

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**CORAM: RAVINDRA V. GHUGE, J.
DATE :- 07th December, 2019**

Per Court:

- 1 On 20.03.2019, I had passed the following order :-
- "1 *By this petition, the petitioner is praying for transferring
Petition-A No.1463/2018 from the Family Court at Pune
to the Family Court at Latur.*
- 2 *It is submitted that, after the marriage took place on
28.5.2015, the applicant was being harassed. The
respondent husband has extra marital relations. She is
ill-treated by the family members of the respondent. She
is driven out of the matrimonial house on 10.10.2018.
She is residing with her parents at Dighol Deshmukh
since then. She is under a threat to her life if she attends
the proceedings at Pune. The distance from Pune to Latur
is about 405 kilometers and requires two over nights
journey. One adult member from her family is required to
accompany her for attending the proceedings at Pune*
- 3 *Reliance is placed upon the following Judgments, in
support of the case of the applicant:-*
- (i) *Bhartiben Ravibhai Rav versus Ravibhai Govindbhai Rav
(2017 (6) SCC 785)*
- (ii) *Vaishali Shridhar Jagtap versus Shridhar Vishwanath
Jagtap (2016 (14) SCC 356)*
- (iii) *Anjali Ashok Sadhwani versus Ashok Kishinchand
Sadhwani (2009 (16) SCC 188)*
- (iv) *Soma Choudhary versus Gourab Choudhary (2004 (13)*

SCC 462)

- 4 *In view of the above, issue notice to the respondent, returnable on 7.6.2019. Until then, the Trial Court would adjourn petition A-1463/2018.*
- 5 *All office objections shall be removed and copy of the application paper book shall be supplied on or before 4.4.2019, failing which, this application shall stand dismissed without reference to the Court on 5.4.2019."*

2 The learned advocate for the respondent/ husband submits, on instructions, that the respondent is agreeable for the transfer sought in this proceeding. A request is made that as there are some other proceedings at Latur instituted by the wife, the matters may be posted on common dates so that the respondent can attend the proceedings in his common visits.

3 In view of the above, this Miscellaneous Civil Application is allowed. Petition No.A-1463/2018 shall stand transferred from the learned Family Court, Pune to the learned Family Court at Latur.

4 The litigating sides would appear before the learned Family Court at Latur on 23.12.2019 since another proceeding R.C.S. No.490/2019 between the parties is scheduled on the same date. The respondent would be at liberty to pray for common dates in the matters at Latur so that he can participate in the said proceedings in his common visits.