

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

950 MISC.CIVIL APPLICATION NO.92 OF 2019

SACHI ALIAS POONAM HARJITSINGH SODHI
VERSUS
HARJITSINGH SURENDRASINGH SODHI

...
Advocate for Applicant : Mr. P.V. Barde h/fMrs. Jahagirdar Shilpa G.
Advocate for Respondents :Miss Bhagyashree S. Kamble
...

CORAM : **RAVINDRA V. GHUGE, J.**

Date: July 23, 2019
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PER COURT :-

1 On 12.6.2019, I had passed the following order:-

"1 The applicant wife seeks transfer of HMP-A No.361/2018 filed by the respondent / husband, from the learned Family Court, Ahmednagar to the learned Family Court, Aurangabad. It is stated that the applicant was driven out of the home on being unable to satisfy the demand of dowry of Rs.25,00,000/-.

2 The applicant is residing with her parents after being driven out of the marital home. She suffered mental and physical torture and has preferred a Proceeding No.523/2018 u/s 12 of the Protection of Women from Domestic Violence Act, 2005 at Aurangabad. The husband has appeared in the said proceeding. The distance between Aurangabad and Ahmednagar is 110 kms and an adult member of the family has to accompany her to attend the Court proceeding at Ahmednagar.

3 Reliance is placed upon 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 Marotippa Rajure MCA No.184 of 2017 (Aurangabad Bench) dated 9.1.2018.*

4 *Issue notice to the respondent, returnable on 26/07/2019. Until then, the learned Family Court, Ahmednagar would adjourn HMP-A No.361/2018.*

5 *Copy of the paper book for issuance of notice shall be supplied and all office objections shall be removed on/or before 19/06/2019, failing which, this application shall stand rejected without reference to the Court on 20/06/2019. "*

2 Learned Advocate appearing on behalf of the respondent – husband submits, on instructions, that the said proceeding can be transferred to the learned Family Court at Aurangabad.

3 In view of the above, this application is allowed.

4 HMP No.A-361/2018, pending before the learned Family Court at Ahmednagar, shall stand transferred to the learned

Family Court at Aurangabad.

5 The parties shall appear before the learned Family Court at Aurangabad on 9.8.2019. In the event, there are other matters pending at Aurangabad, the respondent husband would be at liberty to seek common dates in all the matters so that he can travel to Aurangabad and participate in all these matters in his common visits.

(RAVINDRA V. GHUGE, J)

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