

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

MISC.CIVIL APPLICATION NO.186 OF 2017

**SOW. SARIKA ANIL GELE
VERSUS
ANIL SHIVLING GELE**

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Advocate for the Applicant : Shri S. S. Wakure
Advocate for the Respondent : Smt. S. K. Doke
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CORAM : RAVINDRA V. GHUGE, J.

DATED : 25th JANUARY, 2019.

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PER COURT :

1. The applicant wife prays for transferring HMP No. 106/2014 from the C.J.S.D. Court at Barshi to the District Court at Osmanabad.
2. I have considered the contentions of the rival sides and have gone through the petition paper book.
3. This petition is being rejected for two reasons. Firstly, that the applicant - wife has suppressed from this Court that she was receiving Rs.700/- as travelling expenses for each date on which she remains present in the Court at Barshi and is also receiving Rs. 7,000/- as monthly maintenance excluding the

travelling expenses. This aspect is not stated in the application memo. Concerned documents are not annexed. This aspect has been brought to the notices of this Court by the respondent, who has filed an affidavit in reply and placed the order of the trial Court on record.

4. The second reason is that the proceedings were lodged in 2014. The matter has progressed to the stage of evidence. The applicant - wife has been receiving travelling expenses on the dates she visits the Court for the said proceedings. The matter is five years old and there is every likelihood that the proceedings before the Trial Court would be concluded shortly.

5. In view of the above, this application is rejected.

6. Needless to state, the Trial Court would proceed with HMP No. 106/2014 as expeditiously as is possible and preferably within a period of 12 (twelve) months from today.

(RAVINDRA V. GHUGE, J.)

shp/-