

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

MISC.CIVIL APPLICATION NO.268 OF 2018

RAJSHREE SURESH PARSODE
VERSUS
SURESH GANGADHAR PARSODE

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Advocate for the Applicant : Ms.Salunke Sheetal V.
None for the Respondent.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 20th December, 2019

Per Court:

1 On 11.12.2019, none remained present for the respondent/
husband. Even today, none present for the respondent.

2 On 03.01.2019, this Court had passed the following order :-

"1 *The applicant wife seeks transfer of HMP No. 251 of 2018 , filed by the respondent / husband, from the court of the Civil Judge S.D. Parbhani to the court of the Civil Judge S.D. Osmanabad.*

2 *The applicant is residing at Tuljapur with her parents after being driven out of the marital home. She is a Teacher. She was harassed and tortured. An adult member of the family has to accompany her to attend the Court proceedings at Parbhani.*

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 Marotiappa Rajure - MCA No.184 of 2017 (Aurangabad Bench), dated 9.1.2018.*

- 4 *Issue notice to the respondent, returnable on 8.2.2019. Until then the trial Court will adjourn HMP No.251 of 2018.*
- 5 *Copy of the paper book for issuance of notice shall be supplied and all objections shall be removed on/or before 14.1.2019, failing which this application shall stand rejected without reference to the Court on 15.1.2019."*

3 Considering the above and since the respondent/ husband has not opposed this Miscellaneous Civil Application, the same is allowed. HMP No.251/2018 shall stand transferred from the Court of the learned Civil Judge, Senior Division, Parbhani to the Court of the learned Civil Judge, Senior Division, Osmanabad.

4 The learned advocate for the applicant/ wife submits that the proceeding initiated by her at Osmanabad is now posted on 27.01.2020. As such, the transferred proceeding shall also be posted on the same date at Osmanabad and the applicant/ wife would appear before the said Court on the said date. If the husband does not appear, the concerned Court may issue notice to the respondent/ husband.