

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO.272 OF 2018

VIDYA ANKUSH RAUT
VERSUS
DR. ANKUSH GAUTAMRAO RAUT

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None present.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: March 19, 2019

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PER COURT :-

1. None appears for the petitioner, despite service of court notice.

No appearance has been entered by the respondent.

2. On 7.1.2019, this Court had passed the following order:-

"1 The Applicant/ wife prays for transferring HMP No.143/2016 filed by the Respondent/ Husband before the learned Civil Judge, Senior Division, Pusa, District Yeotmal to the Court of the learned Civil Judge, Senior Division, Hingoli.

2 It is submitted that the marriage was solemnized on 06.12.2013. However, the Respondent/ husband and his relatives started illtreating and harassing the Applicant/ wife for one reason or the other. The Applicant/ wife was compelled to leave the marital home and since then, the Applicant is residing along with her parents. The distance between Kalamnuri, District Hingoli and Pusa, District

Yeotmal is about 100 kilometers. Being a lady, an adult member of the family has to accompany her. The Applicant has also filed HMP No.116/2016 at Hingoli against the Respondent/ husband and the Respondent/ husband attends the said proceeding at Hingoli.

3 Reliance is placed upon the following judgments :

(a) *Sumita Singh vs. Kumar Sanjay*, (2001) 10 SCC 41 : AIR 2002 SC 396.

(b) *Mahadevi Mehtre vs. Gopal*, 2015 (5) AIR Bom. 250.

(c) *Mona Aresh Goel vs. Aresh Satya Goel*, 2000 (9) SCC 255 : AIR 2000 SCW 2652.

(d) *Ravinder Kaur vs. Hitinder Singh*, AIR 2000 SC 3403

(e) *Rena Gautam vs. Vinod Gautam*, AIR 2000 SC 3405

(f) *Soma Choudhury vs. Gourab Choudhary* (2004) 13 SCC 462.

(g) *Anjali Ashok Sadhwani vs. Ashok Kishinchand Sadwani*, AIR 2009 SC 1374.

(h) *Vaishali Shridhar Jagtap vs. Shridhar Vishwanath Jagtap*, AIR 2016 SC 3584.

(i) *Reena Mehra vs. Rohit Rai Mehra*, AIR 2003 SC 1002.

(j) *Rakhi Banerjee vs. Subhankar Mukherje*, AIR 2009 SC 928.

(k) *T.Gayatri Devi vs. Tallepaneni Sreekanth*, 2013 (6) Bom. C.R. 119 (Supreme Court).

(l) *Anita Balkrishna Barge vs. Balkrishna Sopan Barge*, 2011 (3) Bom. C.R. 866 (Aurangabad Bench).

(m) *Smita Dhananjay Patil vs. Dhananjay Krishnakumar Patil*, 2013 (5) Bom.C.R. 694 (Aurangabad Bench).

4 Issue notice to the Respondent returnable on 15.02.2019.

5 Till then, the concerned Court shall adjourn
HMP No.143/2016.

6 The copy of the application memo for issuance of notice,
if not already supplied, shall be supplied and the office
objection, if any, shall also be removed on or before
15.01.2019, failing which, this application shall stand
rejected without reference to the Court on 16.01.2019. "

3. In view of the above, this application is allowed. HMP No.143
of 2016 shall stand transferred to the Court of the learned Civil Judge
S.D. Hingoli.

(RAVINDRA V. GHUGE, J.)

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