

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

MISC.CIVIL APPLICATION NO. 35 OF 2020

SANGITA GANPAT MALI
VERSUS
GANPAT HARI MALI

...
Advocate for the Applicant : Shri A. M. Gholap
Advocate for the Respondent – sole : Shri S. S. Shaikh

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

DATED : 13th MARCH, 2020

...
PER COURT :

1. This matter is taken up, out of turn from the daily board, in view of the statement made by the learned Advocate for the Respondent husband that he is consenting for the transfer of his proceeding to Aurangabad as a goodwill gesture towards his wife and a girl child born from the said marriage. He submits that he desires to save the marriage and the applicant wife may consider this gesture sympathetically.

2. The learned Advocate for the wife finds it appropriate to inform the Court that during the subsistence of the marriage, the husband had brutally

assaulted the wife which led to the loss of twins, when in womb. He, therefore, cannot make any statement as to whether the wife would be inclined to have the matter referred to a mediation.

3. Considering the above, this application is allowed in terms of prayer Clause B. HMP No. 137/2019 filed by the husband before the Court of the learned Civil Judge Senior Division Shrirampur, shall be transferred to the learned Family Court at Aurangabad.

4. Since the date in a proceeding bearing PWDVA No. 699/2019 filed by the wife at Aurangabad is scheduled on 17/03/2020, the litigating parties would appear before the learned Family Court at Aurangabad in the transferred proceedings on the same day.

5. The husband is at liberty to request the Courts at Aurangabad to post all the matters on common dates so that he can attend the proceedings in his common visits.

(RAVINDRA V. GHUGE, J.)

shp/-