

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

954 MISC.CIVIL APPLICATION NO.98 OF 2018

SHWETA SACHIN GALANGE
VERSUS
SACHIN DATTATRAYA GALANGE

...
Advocate for Applicant : Mrs. Jagtap Manjusha S.
Advocate for Respondents : M.S. Karad h/f Mr. S.V. Jadhavar
...

CORAM: ROHIT BABAN DEO, J.

Date: JANUARY 8th, 2020
...

PER COURT :-

1 This application is preferred by the applicant-wife, seeking transfer of HMP No.18/2017, seeking dissolution of marriage which is instituted by the respondent-husband in the Court of the Civil Judge, Senior Division, Majalgaon, district: Beed to the Court of the Civil Judge, Senior Division, Ahmednagar.

2 The applicant contends that the distance between Majalgaon, Beed and Ahmednagar is more than 300 kilometers. Applicant contends that she is forced to stay with her aged parents along with a child who is about 3 years old and in the absence of any male member in the family who can escort her to Majalgaon, Beed, it would be most inconvenient for her to effectively defend the proceedings at Majalgaon.

3 The learned counsel for the respondent-husband points out that in the divorce proceedings instituted by the husband, the applicant wife is granted monthly interim maintenance of

Rs.1,000/-. The applicant wife is further granted Rs.600/- per day which she would require to attend the Court proceedings. This order is suppressed is the submission of the learned counsel for the respondent.

4 It is true that there is no disclosure of the said order in the application. However, that does not detract from the fact that the applicant, who has three years old child to look after, would find it extremely inconvenience to defend the petition at Majalgaon, Beed. The respondent-husband did attend the proceedings initiated by the wife at Ahmednagar under the provisions of the Protection of Women from Domestic Violence Act. The said proceedings are disposed of vide order dated 18.6.2018. Be that as it may, the reference to the said proceeding is relevant only to the extent that the husband did not find it inconvenient or difficult to attend the said proceedings at Ahmednagar.

5 In the totality of the circumstances, I am inclined to allow the application and accordingly, the application is allowed in terms of prayer clause 'B' which is re produced thus:-

" B) Kindly be transfer the Hindu Marriage petition No.18/2017 which is pending in the Court of Civil Judge, Senior Division, Majalgaon, to the Court of Civil Judge, Senior Division, Ahmednagar."

(ROHIT BABAN DEO, J)