

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO.140 OF 2018

DEEKSHA PRAKASH JONDHALE
VERSUS
PRAKASH SAMBHAJI JONDHALE

Mr.R.G.Nirmal h/f Mr.S.S.Gangakhedkar, Advocate for the applicant.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 17/02/2020

PER COURT :

1. None appeared for the respondent on 08/11/2019. None was present for the respondent even on 31/01/2020 and 12/02/2020. None appears even today.

2. The applicant relies 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) Sumita Singh vs. Kumar Sanjay - (2001) 10 SCC 41 : AIR 2002 SC 396,

- (vi) Mahadevi Mehtre vs. Gopal - 2015 (5) AIR Bom. 250,
- (vii) Mona Aresh Goel vs. Aresh Satya Goel -
2000 (9) SCC 255 : AIR 2000 SCW 2652,
- (viii) Ravinder Kaur vs. Hitinder Singh - AIR 2000 SC 3403,
- (ix) Rena Gautam vs. Vinod Gautam - AIR 2000 SC 3405,
- (x) Reena Mehra vs. Rohit Rai Mehra - AIR 2003 SC 1002,
- (xi) Rakhi Banerjee vs. Subhankar Mukherje -
AIR 2009 SC 928,
- (xii) T.Gayatri Devi vs. Tallepaneni Sreekanth -
2013 (6) Bom. C.R. 119 (SC),
- (xiii) Anita Balkrishna Barge vs. Balkrishna Sopan Barge -
2011 (3) Bom. C.R. 866 (Aurangabad Bench) and
- (xiv) Smita Dhananjay Patil vs. Dhananjay Krishnakumar Patil -
2013 (5) Bom.C.R. 694 (Aurangabad Bench).

3. It is submitted that the applicant/wife has preferred HMP No.198/2016 at Nanded and the husband has been served with Court notice. Distance between Nanded and Chandrapur is about 400 kms. and the applicant has to travel by the only train available requiring 2 overnight journeys to travel to Chandrapur.

4. In my view, as the proceedings preferred by the applicant/ wife are already pending at Nanded, having been filed in 2016, it would be appropriate to have both the matters in the same place.

5. In view of the above, this application is allowed. HMP No.87/2016 stands transferred to the learned Family Court at Nanded. The applicant shall appear before the Court at Nanded on 02/03/2020 and the Court would issue notice to serve the respondent. Liberty is granted to the respondent/husband to pray for common dates in both the matters, for his convenience.

(Ravindra V.Ghuge, J.)