

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO.224 OF 2019

MAYURI YOGESH CHAUDHARI
VERSUS
YOGESH ABHIMANYU CHAUDHARI

Mr.P.P.Kothari, Advocate for the petitioner.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 26/02/2020

PER COURT :

1. On 09/10/2019, I had passed the following order :-

"1 The applicant/ wife prays for transferring Petition-A No.46/2019 from the learned Family Court No.2, Pune to the learned Family Court at Ahmednagar.

2 It is stated that the applicant has filed one proceeding under Section 12 of the Protection of Women from Domestic Violence Act, 2005 and one proceeding under Section 498-A of the Indian Penal Code at Ahmednagar. The husband attends the said proceedings at Ahmednagar.

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 (2).
- (e) *Rena Gautam vs. Vinod Gautam*, AIR 2000 SC 3405 (1).
- (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).
- (n) *Kalpana Pankaj Rozatkar vs. Pankaj Supadu Rozatkar*, 2013 (6) Bom.C.R. 161 (Aurangabad Bench).

(o) *Sayali Swapnil Kuber vs. Swapnil Harischandra Kuber, 2014 (1) Mh.L.J. 584 (Nagpur Bench).*

4 *Issue notice to the respondent returnable on 29.11.2019.*

5 *Until then, the concerned Court shall adjourn Petition-A No.46/2019.*

6 *The copy of the application memo for issuance of notice shall be supplied on or before 18.10.2019, failing which, this application shall stand rejected without reference to the Court on 19.10.2019.”*

2. Despite service of court notice on the respondent and the matter being adjourned on 4 occasions, no appearance has been entered by the respondent/husband. It, therefore, appears that he is not opposing this application and the same is therefore allowed in terms of prayer clause “b”.

3. The applicant will appear before the Family Court, Ahmednagar on 04/03/2020. Notice will be issued by the Trial Court to the husband.

(Ravindra V.Ghuge, J.)