

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 MISC.CIVIL APPLICATION NO.14 OF 2021

SANGITA OMKAR MORE
VERSUS
OMKAR DIGAMBARAO MORE

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Advocate for Applicant : Dr. Swapnil D. Tawshikar
Advocate for Respondent: Mrs. V. A. Shinde h/f Mr. R. R. Mane

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CORAM : AVINASH G. GHAROTE, J.

DATE : 2nd August, 2021

PER COURT :

. Heard Dr. Swapnil Tawshikar, learned counsel for the applicant and Mrs. Shinde, learned counsel for the non-applicant.

2. It is not disputed, that in the Hindu Marriage Petition No. A-348/2017, pending before the file of the learned Family Court, Aurangabad, filed by the husband, the evidence of the husband is over and his side is closed. The affidavit evidence of the wife has also been filed, the examination-in-chief is over and the part of cross is also over.

3. Learned counsel for the non-applicant submits, that in one single sitting, the balance cross would also be over. She submits, that the non-applicant is willing to defray the expenses of the

applicant as well as her companion, including any expenses for lodging and boarding, which is being so done, at present at the rate of Rs.1000/- per visit as per the order dated 03/12/2018 by the learned Family Court.

4. It is an admitted position, that the applicant/wife, has instituted proceeding under the Protection of Women from Domestic Violence Act, 2005 before the Family Court, at Beed, in which, the non-applicant has already been served and is appearing. That being the case, in view of the settled position of law, that the convenience of the wife is to be taken into consideration and the husband is already travelling to Beed, the Hindu Marriage Petition No. A-348/2017, pending before learned Family Court, Auarngabad, is hereby transferred to the Family Court, Beed.

5. The parties shall attend the Family Court, Beed on 13/8/2021, prior to which, the learned Family Court, Aurangabad is requested to transmit the Records & Proceedings of Hindu Marriage Petition No. A-348/2017, to the Family Court, Beed.

6. The application is, accordingly, allowed in the above terms.

(AVINASH G. GHAROTE, J.)