

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

967 MISC.CIVIL APPLICATION NO.134 OF 2021

SHEELA KETAN SABLE
VERSUS
KETAN EKNATH SABLE

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Advocate for Applicant : Mr. Mahesh S. Taur
Advocate for Respondent/Sole: Mr. Sandip R. Andhale

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CORAM : AVINASH G. GHAROTE, J.

DATE : 28th July, 2021

PER COURT :

. Heard Mr. Taur learned counsel for the applicant and Mr. Sandip learned counsel for the respondent/sole.

2. By this transfer application proceeding, pending on the file of Civil Judge, Senior Division, Ahmednagar bearing H.M.P No. 489/2019 filed by the husband, are sought to be transferred to the Court of Civil Judge, Senior Division, at Beed.

3. It is an admitted position, that the applicant/wife is residing at Village Jategaon, Taluka Georai, District Beed. The said Village is at a distance of 53 k.m. from Beed, whereas the proceedings are at Ahmednagar, which is at a distance of 140 k.m.

from Jategaon. The husband is a residence of Village Dahegaon, Taluka Shevgaon, District Ahmednagar, which is about 85 k.m. from Ahmednagar. The wife has filed an application under Section 24 for maintenance in the proceeding filed by the husband at Ahmednagar.

4. The learned counsel for the applicant submits, that the father of the applicant who earlier used to accompany her at Ahmednagar, has since being diagnosed as a severe case of asthma and therefore is now unable to travel with her, in this situation, it is not possible for the applicant, to travel alone to Ahmednagar.

5. Though the non-applicant has offered to affray the expenses of the applicant, for travelling to Ahmednagar, considering the present situation that the father of the applicant has been diagnosed as a severe asthmatic patient, it would not be proper, to ask the applicant to travel alone to Ahmednagar. The proceedings H.M.P. No. 489/2019, pending in the Court of Civil Judge, Senior Division, Ahmednagar, are therefore transferred to the Court of Family Court, Beed.

6. The parties undertake to appear before the Family Court, Beed on 13/08/2021, before which date, the records and proceedings be transmitted, by the Civil Judge, Senior Division, Ahmednagar to the Family Court, Beed.

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

(AVINASH G. GHAROTE, J.)