

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

935 MISC.CIVIL APPLICATION NO.178 OF 2019

RASHMI KUNAL WALKAR
VERSUS
DR. KUNAL SURYAKANT WALKAR

...

Mr. S.S. Gangakhedkar, Advocate for the applicant.
Mrs. C.S. Deshmukh, Advocate for the respondent.

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CORAM : **AVINASH G. GHAROTE, J.**

DATE : 06-07-2021.

ORDER :

1. Heard Mr. Gangakhedkar, learned Counsel for the applicant and Mrs. Deshmukh, learned counsel for the respondent.

2. The petitioner seeks to transfer the proceedings under Section 9 of the Hindu Marriage Act instituted by the respondent before Civil Judge, Senior Division, Ahmednagar being HMP No.168/2019, Dr. Kunal vs Dr. Lakshmi to the Family Court at Nanded, where the petitioner resides and in which proceedings under the Domestic Violence Act have already been instituted vide PWDV No. 15/2019 in January 2019 itself.

2. Though Mrs. Deshmukh, learned Counsel for the respondent vehemently opposes the petition, law on the point is well settled that the wife should not be made to travel outside her place of residence, for fighting litigation, in view of which the following order is passed.

3. The proceedings before the Civil Judge, Senior Division, Ahmednagar bearing HMP No. 168/2019, Dr. Kunal Walkar vs Dr. Lakshmi Walkar, shall stand transferred to the Family Court at Nanded. The respondent shall appear before the Family Court, Nanded on 30th July 2021, by which time, the office of the Civil Judge, Senior Division, Ahmednagar shall ensure the transmission of the record to the Family Court, Nanded.
4. The application is accordingly allowed in the above terms. No order as to costs.

(AVINASH G. GHAROTE)

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