

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

979 MISC.CIVIL APPLICATION NO.229 OF 2021

**PRADNYA GIRISH BHANDARI
VERSUS
GIRISH PRAKASH BHANDARE**

...

**Advocate for Applicants : Kulkarni Suvidh S.
Advocate for respondent : A.A.Pimpalwadkar**

...

**CORAM: MANGESH S PATIL,J.
DATE : 08.12.2021**

P.C.:

This is an application under Section 24 of the Code of Civil Procedure for transfer of a divorce proceeding instituted by the respondent husband against the applicant wife and pending in a Court at Aurangabad, from Aurangabad to the District Court at Pune.

2] Mr.A.A.Pimpalwadkar, learned advocate submits that that he has instructions to appear on behalf of the respondent and files Vakalatnama.

4] I have heard both the sides finally.

5] Though the applicant is seeking transfer of a divorce proceeding instituted by the respondent against her from Aurangabad to Pune, the learned advocate for the respondent makes a statement that the divorce proceeding is in fact a

part-heard matter. Evidence of the respondent is already over and it is for the applicant now to step into witness box. In view of such a stage of the proceeding sought to be transferred, it would not be appropriate to concede to the request of the applicant.

6] However, it is a matter of record that since after separation of the couple she has been residing in Pimpri Chinchwad and has to commute between that place and Aurangabad for defending the divorce proceeding. She is also blessed with a girl child aged around 7 years. Obviously she will have to take care of the daughter and also make arrangement for commuting between the two places. Besides she must have been spending for defending the proceeding at Aurangabad. Justice would be met if respondent husband instead of transferring the proceeding, is made to compensate her for her travelling expenses.

7] The application is rejected. However, the respondent shall pay to the applicant Rs.2500/- for every trip she personally remains present before the Court taking up divorce proceeding at Aurangabad. This order shall be punctually followed by the respondent. The Family Court, Aurangabad shall see to it that he obeys the direction punctually.

[MANGESH S. PATIL,J.]