

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
MISC CIVIL APPLICATION NO. 16 OF 2022

Sow Veena w/o Sachin Jamadar

Applicant

Versus

Sachin Vasantrao Jamadar

Respondent

Mr. D. P. Munde, Advocate for the applicant.

Mr. P. V. Barde, Advocate for the respondent.

CORAM : M.G. Sewlikar, J.

DATE : 3rd AUGUST, 2022.

PER COURT :

1. Heard.

2. Respondent has filed HMP No. 88/2021 for divorce before the Court of Civil Judge, Senior Division, Omerga, Dist. Osmanabad. Relations between applicant and respondent are not in dispute. Learned counsel for the applicant submits that the applicant is staying at Pune with a child of 18 months. At the time of filing of the application, the age of the child was 12 months. He submits that the proceedings for restitution of conjugal rights under Section 9 of Hindu Marriage Act and under Domestic Violence Act are pending at Pune. Therefore, no inconvenience would be caused to the respondent if HMP No. 88/2021 is transferred from Omerga to Pune.

3. Learned counsel for respondent strongly opposes the application contending that respondent is ready to bear expenses for travelling by an independent car.

4. Admittedly, the proceeding under Section 9 of Hindu Marriage Act and application under Domestic Violence Act are pending at Pune. There will be no inconvenience to the respondent if this proceedings are transferred to Pune. Therefore, in the interest of both the parties, I deem it appropriate to pass the following order :-

ORDER

- i) Application is allowed.
- ii) HMP No. 88/2021 is withdrawn from the file of Civil Judge, Senior Division, Omerga and transferred to the file of Civil Judge, Senior Division, Pune for disposal according to law.
- iii) As far as possible, petition under Section 9 of Hindu Marriage Act and application under Domestic Violence Act be kept on the same day by the Courts concerned.

(M. G. SEWLIKAR)
Judge