

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

966 MISC.CIVIL APPLICATION NO.47 OF 2021

**SUKESHNA ANANTA SARODE
VERSUS
ANANTA GAUTAM SARODE**

...

Mr. R.B. Narwade Patil, Advocate for the applicant.
Mr. G.G. Suryawanshi, Advocate for the respondent.

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 09.12.2022.

ORDER:-

1. Heard rival submissions. The applicant-wife is seeking transfer of Petition No.A-144 of 2020 filed by respondent – husband for getting divorce, from the Family Court, Nagpur to the Family Court, Nanded.

2 The learned Counsel for the respondent strongly opposed the application by filing reply on the ground that the respondent is paying maintenance to the applicant regularly.

3. However, it appears that the applicant – wife has filed three proceedings at Nanded. Out of those proceedings, two are the petitions before the Family Court, Nanded for restitution of conjugal rights and getting maintenance under Section 125 of Cr.P.C. The third proceeding is going on before the concerned J.M.F.C. Nanded under the provisions of

Protection of Women from Domestic Violence Act. Significantly the respondent has appeared in all these proceedings. The Hon'ble Apex Court in the latest judgment has taken a view that all the proceedings having similar facts are required to be decided by one and the same Court. Moreover, there are three proceedings going on against the respondent in Nanded District whereas there is only one proceeding is pending at Nagpur. Therefore, considering the convenience applicant wife, following order is passed.

ORDER

- (i) The application is allowed.
- (ii) Petition No. A-144/2020 is hereby transferred from the Family Court, Nagpur to the Family Court, Nanded for its simultaneous disposal alongwith the petitions filed by the applicants therein, according to law.
- (iii) The respondent is directed to appear before Family Court, Nanded on 16th January 2023.
- (iv) The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)