

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

MISC.CIVIL APPLICATION NO.76 OF 2021

**VAISHALI SURESH DESHMUKH
VERSUS
SURESH BABURAO DESHMUKH**

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Advocate for Applicant : Mr. A. N. Nagargoje h/f. Mr. R. K. Shingnapure
Advocate for Respondent : Mr. Vaibhav U. Pawar

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CORAM : MANGESH S. PATIL, J.

DATED : 19 JULY 2022

PER COURT :

Heard the learned advocates of both the sides finally.

2. The applicant is the wife of respondent and is seeking transfer of divorce proceeding initiated by him at Parbhani to a court at Ambejogai.
3. Admittedly, since after separation the applicant has been staying in Ambejogai with a girl child aged around 6-7 years.
4. The respondent having not filed any affidavit-in-reply, the averments in the application have gone without dispute.
5. The applicant seems to have been instituted a proceeding for restitution, a proceeding under the Protection of Women from Domestic

Violence Act, 2005 and a proceeding under section 125 of the Code of Criminal Procedure, all of which are pending at Ambejogai in different courts.

6. It is a fact that, whether or not the divorce proceeding is transferred to Ambejogai, the respondent will have to attend to these many proceedings by going to Ambejogai. Instead of making both of them commute between Parbhani and Ambejogai, it would always be convenient for them if the matters remain at one place. Necessary precaution to avoid any possible hardship to the respondent can be taken.

7. The application is allowed in terms of prayer clause (B).

8. All the courts taking up different matters between the parties at Ambejogai shall, as far as possible, list all these matters on the same day.

9. Parties shall appear before the concerned court at Ambejogai on 30.07.2022 and there shall be no need for that court to issue any notice to them.

(MANGESH S. PATIL, J.)

Tandale/-