

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

908 MISC.CIVIL APPLICATION NO.50 OF 2021

JAYSHREE PRAMOD MUNESHWAR
VERSUS
PRAMOD NAMDEO MUNESHWAR

...
Advocate for Applicant : Mr. G.G. Suryawanshi
Advocate for Respondent : Mr. Ramesh Adeppa
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**CORAM : PRITHVIRAJ K. CHAVAN, J.
DATE : 07.04.2022**

ORAL ORDER :-

This is an application under Section 24 of the Code of Civil Procedure filed by the applicant-wife, who is aged about 43 years against respondent-husband, who is aged about 51 years of age.

2. The applicant seeks transfer of Hindu Marriage Petition filed in the Court of Civil Judge, Senior Division, Satara bearing H.M.P. No. 133 of 2020. According to the applicant, she is resident of Kalamnuri. She was driven out of the house by respondent-husband in the year 2001. The distance between Kalmunri and Satara is about 530 Kms and therefore, she finds it difficult to attend the Court proceeding at Satara, for, she will have to travel a distance of about 1000 Kms.

3. The applicant has filed a Regular Civil Suit No. 89 of 2015 before the learned Civil Judge, Junior Division, Kalmnuri District Hingoli for grant of maintenance. The Hindu Marriage Petition filed by the respondent-husband is under Sections 13(1) (i-a) and 13(1)(i-b) of Hindu Marriage Act, 1955.

4. The learned counsel for the respondent-husband had requested for urgent listing of this matter yesterday and therefore, the matter is taken on today's board.

5. The respondent-husband is gracious enough to accede to the prayer of the applicant-wife for transferring the Hindu Marriage Petition No. 133 of 2020 filed by him in the Court at Civil Judge, Senior Division Satara to Civil Judge, Senior Division Hingoli. Since Family Court has been established in the district of Satara, the Hindu Marriage Petition No. 133 of 2020 has been re-numbered as P. A. No. 205 of 2021.

6. It is submitted that the parties have not been cohabiting under one roof since last more than 20 years and there is no likelihood of any re-union. As such, in view of no objections given by the respondent-husband to transfer the P.A. No. 205 of

2021 (old H.M.P. No. 133 of 2020) from Family Court Satara to the Court of Civil Judge Senior Division, Hingoli, the petition needs to be disposed off by passing the following order.

ORDER

(I) The P.A. No. 205 of 2021 (old H.M.P. No. 133 of 2020) Mr. Pramod Namdeo Muneshwar Versus Mrs. Jayshri Pramod Muneshwar pending on the file of Family Court Satara, shall stand transferred to the Civil Judge, Senior Division, Hingoli.

(iii) Regular Civil Suit No. 89 of 2015 (Sou. Jayashree Pramod Muneshwar Vs. Pramod Namdeo Muneshwar) pending on the file of Civil Judge, Junior Division, Kalmunri, District Hingoli shall also stands transferred to the Civil Judge, Senior Division, Hingoli.

(iii) The Civil Judge, Senior Division, Hingoli shall expeditiously dispose off the Hindu Marriage Petition filed by the respondent-husband bearing P. A. No. 205 of 2021 (old H.M.P. No. 133 of 2020) as well as Regular Civil Suit No. 89 of 2015 preferably within a period of six months from the date of receipt of proceeding.

(iv) The trial Court is directed not to adjourn the matter

unnecessarily at the request of any of the parties.

(v) Application stands disposed off in aforesaid terms.

(PRITHVIRAJ K. CHAVAN, J)
JUDGE

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