

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

967 MISCELLANEOUS CIVIL APPLICATION NO.42 OF 2022

KALPANA AMIT VEER
VERSUS
AMIT ASHOK VEER

Advocate for Applicant : Shri Rahul D. Khadap
Advocate for Respondent : Shri Amol Bhagat h/f.
Shri Devanand Y. Nandedkar

CORAM : M.G.SEWLIKAR, J.

DATE : 25th August, 2022

PER COURT :-

1. Respondent and petitioner are husband and wife. Petitioner is residing at Wakdi (Avajgaon), Tq.Kaij, Dist.Beed, whereas respondent is residing at Aurangabad. Respondent has filed H.M.P. No.A-418 of 2021, under Section 13 (1) of the Hindu Marriage Act, which is pending before the Family Court, Aurangabad.

2. Learned counsel for the petitioner submits that the petitioner is a woman and she is not in a position to attend the Family Court at Aurangabad. He submits that petitioner is required to come to Kaij first and from there she has to take a Bus to Aurangabad. She has, therefore, sought transfer of the said petition from Family Court, Aurangabad to Civil Judge, Senior Division, Ambajogai, Dist.Beed.

3. Learned counsel for the respondent strongly opposed the application for transfer. He submits that the petitioner is physically sound. She can attend the Court at Aurangabad.

4. Having considered the submissions of the learned counsel for both the parties, it can be seen that no extraordinary circumstances are brought on record for not transferring the petition from Family Court Aurangabad to the Civil Judge, Senior Division, Ambajogai, Dist.Beed. Petitioner is a lady. There is no direct connectivity from her village Wakdi (Avajgaon) to Aurangabad. She has to come to Kaij and then take a Bus from Kaij to Aurangabad. Having considered overall circumstances, I deem it appropriate to transfer the petition from Family Court, Aurangabad to Civil Judge, Senior Division, Ambajogai, Dist.Beed. In view of this, following order is passed:-

ORDER

(i) Application is allowed.

(ii) H.M.P. No.A-418 of 2021 is withdrawn from the Family Court, Aurangabad and is transferred to the Court of Civil Judge, Senior Division, Ambajogai, Dist.Beed, for disposal according to law.

**(M.G.SEWLIKAR)
JUDGE**