

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

MISC. CIVIL APPLICATION NO. 63 OF 2020

Sau. Monika Himmat Mane

Applicant

Versus

Himmat Pratap Mane

Respondent

Mr. S.V.Suryawanshi, advocate for the Applicant

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 25th November, 2022.

PC :

Heard learned Counsel for the applicant-wife. The applicant is seeking transfer of Marriage of Petition No. 08 of 2020 from the Court of learned Civil Judge, Senior Division at Kalyan, District Thane, to the Court of learned Civil Judge, Senior Division, Chalisgaon, District Jalgaon. The aforesaid petition has been filed by the respondent-husband for getting divorce.

The learned Counsel for the applicant submits that the applicant has also filed three proceedings at Chalisgaon i.e. (i) for restitution of conjugal rights (ii) proceedings under Protection of Women from Domestic

Violence Act, 2005; and (iii) Application for maintenance under Section 125 of the Code of Criminal Procedure. The respondent-husband has appeared in the DV proceedings.

It is to be noted here that the respondent-husband, though served through paper publication, failed to appear and, therefore, considering convenience of the applicant-wife and keeping in mind the proceedings filed by the wife at Chalisgaon, following order is passed:

- (i) Misc. Civil Application is hereby allowed.
- (ii) Marriage Petition No. 08 of 2020 is transferred from the Court of Civil Judge, Senior Division, Kalyan, District Thane, to the Court of Civil Judge, Senior Division, Chalisgaon, District Jalgaon, for disposal according to law.
- (ii) The respondent is directed to appear before the Civil Judge, Senior Division, Chalisgaon, District Jalgaon, on or before 19th December, 2023.

(SANDIPKUMAR C. MORE)
JUDGE

adb