

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

MISC. CIVIL APPLICATION NO. 71 OF 2021

Varsha w/o Ankush Humbe

...Petitioner

Versus

Ankush s/o Shriram Humbe

...Respondent

.....
Mr. H. V. Tungar, Advocate for the petitioner

Mr. A. B. Hawade & Mr. Y. K. Bobade, Advocate for respondent-sole

.....

CORAM : BHARATI H. DANGRE, J.

DATE : JANUARY 12TH, 2022

PER COURT : -

1. Heard the learned Counsel for the applicant and the Counsel for the respondent.

2. The applicant/wife is seeking transfer of HMP No. 26/2021 filed by the respondent-husband in the court of Civil Judge Senior Division at Beed to the Family Court at Latur, since on her separation from the respondent-husband, she continues to reside with her mother at Latur.

. The transfer of the proceeding is sought on the ground of inconvenience being caused to her.

3. The respondent-husband is residing in Beed and is engaged in running a medical shop since he is a Diploma holder in pharmacy. He has instituted the petition for dissolution of marriage in the court at Beed since he is residing there and since the parties last resided in Beed, the Civil Judge Senior Division at Beed undisputedly has jurisdiction to decide the petition filed by him seeking dissolution of marriage.

4. On hearing the learned Counsel for the applicant and the respondent, it is informed that the distance between the Latur and Beed is approximately 190 kilometers. The husband, who has a medical shop, will have to undertake the journey by shutting his day's business and, therefore, he offers that for every trip which the wife has to undertake for attending the proceedings in the court at Beed, he will pay an amount of Rs. 3000/- per trip to the wife, since she has expressed financial hardship apart from the inconvenience in travel.

5. Upon the aforesaid suggestion coming from the side of the husband, I see no difficulty to the wife in undertaking the journey of 190 kilometers one way to attend the proceedings when the financial expenses of travel being taken care of. In the aforesaid

circumstances, the application does not deserve any consideration but the wife is entitled for expenses of Rs. 3000/- per travel to be undertaken by her to attend the proceedings in HMP No. 26/2021, in the court of Civil Judge Senior Division, Beed. It is also made clear that the learned Judge shall not seek her presence on every date of hearing, except the dates on which the matter is scheduled for her examination or cross-examination on her part. Every other date fixed for some miscellaneous steps to be taken, her presence shall be exempted.

6. With the aforesaid directions, the Misc. Civil Application is disposed off.

[BHARATI H. DANGRE]
JUDGE