

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

966 MISC.CIVIL APPLICATION NO.138 OF 2022

**BHAGYASHREE ALIAS VARSHA AVINASH BHOSLE
VERSUS
AVINASH DADU BHOSLE**

...
Mr. S.S. Wagh, Advocate for the applicant.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 07.10.2022.

ORDER:-

1. Heard learned Counsel for the applicant – wife. The respondent – husband, though served with final disposal notice, remained absent.

2. The applicant – wife is seeking transfer of HMP No.499/2017 filed by the husband in the Court of Civil Judge (Senior Division) at Thane for getting divorce, to the Court of Civil Judge (Senior Division) at Shrirampur, District Ahmednagar. According to the applicant-wife, she is not having any independent source of income, and therefore, filed maintenance proceeding before the concerned Court at Shrirampur under Section 125 of Cr.P.C. According to her, the respondent husband has already appeared in the said proceeding. It is difficult for her to travel from Shrirampur to

Thane which is approximately 350 kms away. On the contrary, the respondent is having substantial income and he can very well attend the dates of aforesaid proceeding, if transferred to Shrirampur. There is no oppose to the application by the respondent, who preferred to remain absent despite service. As such, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) Hindu Marriage Petition No. 499/2017 pending in the Court of Civil Judge (Senior Division), Thane is transferred to the Court of Civil Judge (Senior Division), Shrirampur, District Ahemadnagar for it's disposal according to law.
- (iii) The respondent is directed to appear before the learned Civil Judge (Senior Division), Shrirampur on 14th November 2022.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)