

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

MISC.CIVIL APPLICATION NO.132 OF 2021

**SWAPNA SURAJ SURESH
VERSUS
SURAJ BHARAT SURESH**

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Advocate for Applicant : Mr. Shaikh Altamash Abdul Latif
Advocate for Respondent : Mr. Vishal Sanjay Kakde

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CORAM : MANGESH S. PATIL, J.

DATED : 01 JULY 2022

PER COURT :

Heard the learned advocates of both the sides.

2. The applicant is seeking transfer of Marriage Petition No.927 of 2020 filed by the respondent in the court of Civil Judge, Senior Division at Kalyan to the Family Court at Aurangabad.

3. Admittedly, the applicant has been staying in Aurangabad where her parental home situates. She has also instituted proceeding under section 12 of the Protection of Women from Domestic Violence Act, 2005 as also the petition under section 125 of the Code of Criminal Procedure at Aurangabad.

4. Needless to state that the respondent even otherwise will have to defend these proceedings by coming down to Aurangabad. Instead of making

both the sides to commute between Kalyan and Aurangabad, it would be appropriate that as the respondent even otherwise has to come down to Aurangabad, even the divorce proceeding is transferred to the Family Court at Aurangabad while protecting his interest by issuing necessary direction for listing of all the matters on the same date.

5. The application is allowed.

6. The proceeding bearing Marriage Petition No.927 of 2020, pending in the court of Civil Judge, Senior Division at Kalyan is transferred to the Family Court at Aurangabad.

7. The parties shall appear before the Family Court at Aurangabad on 30 July 2022 and there shall be no need for that court to issue any notice to them.

8. All the courts taking up different matters between the parties at Aurangabad including the present one, shall list all these matters on daily cause list on the same date, as far as possible.

(MANGESH S. PATIL, J.)