

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

974 MISC.CIVIL APPLICATION NO.98 OF 2022

SUNITA JAGDISH GAIKWAD ALIAS SUNITA LAXMANRAO MITKARI
VERSUS
JAGDISH DEVIDASRAO GAIKWAD

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Advocate for Applicant : Mr. Bhosle Santosh C.

Advocate for Respondent : Mr. S. N. Janakwade

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 24/11/2022.

P. C. :

1. Leave to correct prayer clause-C by inserting Family Court Latur instead of CJSD, Latur.
2. Heard rival submissions.
3. The applicant wife is seeking transfer of Marriage Petition No.151 of 2021 filed by the respondent husband for getting divorce from the court of 2Jt. CJSD, Nanded to CJSD, Latur.
3. The learned counsel for the applicant submits that the applicant has also filed Petition No. A 79 of 2022 in Family Court Latur. He pointed out that the applicant is not having permanent source of income and she has to maintain two children born out of this wedlock.
4. On the contrary, the respondent husband resisted the application by filing reply and thereby contended that distance between Nanded and Latur is of 130 Kms. and his father is suffering from illness.

5. It is significant to note that though the applicant is working in medical department, but she is also having two children to look after. At present, she is residing at Latur and therefore, it would be difficult for her to attend the dates at Nanded. The greater hardship will be caused to the applicant than the respondent husband, who is required to attend the date of marriage petition at Family Court Latur. In view of the same, following order is passed :

ORDER

- a) The application is hereby allowed.
- b) The Marriage petition No. 151 of 2021 is hereby transferred from 2Jt.CJSD, Nanded to Family Court, Latur for its simultaneous disposal along with the Petition No.A 79 of 2022 pending therein.
- c) The respondent is directed to appear before Family Court, Latur on or before 19/12/2022.
- d) Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)