

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

953 MISC.CIVIL APPLICATION NO.151 OF 2022

MANISHA CHANDRASHEKHAR SONWANE
VERSUS
CHANDRASHEKAR KASHINATH SONWANE

...
Mr. P.B. Patil, Advocate for the applicant.
Mr. Jitendra Patil, Advocate for the respondent.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 07.10.2022.

ORDER:-

1. Leave to correct prayer clause (B) forthwith.
2. Heard the rival submissions. The applicant - wife is seeking transfer of Marriage Petition No. 993/2021 filed by her husband respondent for getting divorce before Civil Judge (Senior Division), Kalyan, to the Court of Civil Judge (Senior Division), Amalner, District Jalgaon.
3. The learned Counsel for the applicant - wife submits that the applicant is not having any independent source of income and she has also filed proceedings under Protection of Women from Domestic Violence Act, 2005 in the Court of concerned Magistrate at Chopda, District Jalgaon, wherein the respondent has appeared.
4. On the contrary, the learned Counsel for the respondent strongly opposed the application on the ground that there are old aged parents of the respondent, and therefore, he would find it difficult to attend the dates at

Amalner, if the matter is transferred. Further, he has also responsibility of his daughter begotten from his first wife.

5. However, it is significant to note that Kalyan is far away from Chopda and the applicant is not having any independent source of income. Moreover, the respondent – husband is also attending the dates of proceeding under the provisions of Domestic Violence Act at Chopda, and therefore, it would be more convenient for the applicant – wife if the petition filed by the respondent – husband at Kalyan is transferred to concerned Court at Amalner. Hence, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) Marriage Petition No. 993/2021 pending in the Court of Civil Judge (Senior Division), Kalyan is hereby transferred to the Court of Civil Judge (Senior Division), Amalner, District Jalgaon for disposal according to law.
- (iii) The respondent husband is directed to appear before the learned Civil Judge (Senior Senior), Amalner on 9th November 2022.
- (iv) The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)