

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

966 MISC.CIVIL APPLICATION NO.156 OF 2021

RUPALI MITHUN CHAVAN
VERSUS
MITHUN PAHUBA CHAVAN

...
Advocate for Applicant : Mr. Lalitkumar S. Mahajan
Advocate for Respondent : Mr. Anudeep D. Sonar

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 21st SEPTEMBER, 2022

ORDER:

1. Heard rival submissions.
2. The applicant wife is seeking transfer of Regular Civil Suit No. 90 of 2021 pending on the file of learned Civil Judge, Junior Division, Kalyan to the Court of Civil Judge, Senior Division, Dhule wherein the Hindu Marriage Petition filed by her bearing HMP No. 123 of 2021 is pending.
3. The learned counsel for the respondent husband strongly opposed the application on the ground that the applicant wife can very well claim the conveyance charges for attending the matter at Kalyan. He also submits that the respondent husband being a serviceman in Union Bank of India is unable to attend each and every date of the proceedings at Dhule. However, in the alternative, he submits

that if the application is allowed then both the proceedings may be made time bound to be decided within six months.

4. Though the respondent husband is in service with Union Bank of India but there is no need for him to attend each and every date of the proceedings at Dhule and he can appear there on the dates of hearing only when his presence is required. Further, for the proper adjudication of dispute between the rival parties, it would be better if both the proceedings are decided by one and the same court. In view of the same following order is passed:

O R D E R

(i) The application is hereby allowed and the RCS No.90 of 2021 pending in the court of learned C.J.J.D. Kalyan is hereby transferred to the Court of Civil Judge Senior Division, Dhule for its simultaneous hearing with HMP No. 123 of 2021 pending therein. The learned Civil Judge Senior Division, Dhule is directed to proceed with these matters expeditiously.

(ii) The respondent husband is directed to appear before the learned Civil Judge Senior Dhule on 13th October, 2022.

(SANDIPKUMAR C. MORE, J.)

JPChavan