

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

965 MISC.CIVIL APPLICATION NO.206 OF 2022

**SHABNAM MOHASIN SHAIKH
VERSUS
MOHSIN MUSTAK SHAIKH BELANWALE**

Advocate for Applicant : Mr. Patil (Borse) Paresh B.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 06.10.2022

PER COURT :

Heard learned counsel for the applicant -wife. The respondent -husband though served through e-mail, remained absent. The applicant -wife is seeking transfer of Petition No. B/30/2021 filed by the respondent for getting divorce from the applicant in the Family Court, Pune to the Family Court, Dhule.

2. Record shows that applicant has filed three proceedings against the respondent -husband at Dhule. First is, RCC No. 491/2020 pending in the Court of Judicial Magistrate First Class, Dhule. Second is, Misc. Cri. Appln No.1087/2020 pending in the Court of Judicial Magistrate First Class, Dhule under the provisions of Protection of Women from Domestic Violence Act, 2005 and the third is, Petition No. 218/2022 before the Family Court, Dhule for restitution of conjugal rights.

3. The learned counsel for the applicant submits that applicant is not having any source of income. Moreover, there are two children out of the wedlock and they are residing with the applicant. The respondent -husband has not made any provision for maintenance of applicant and her children. Moreover, the distance between Dhule and Pune is more than 350 kms. In view of the same and for the convenience of applicant -wife, following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) The Petition No.B/30/2021 pending in the learned Family Court, Pune filed by the respondent -husband is hereby transferred to the Family Court at Dhule for its simultaneous disposal with Petition No. 218/2022 pending therein.
- (iii) The application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-