

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1026 MISC. CIVIL APPLICATION NO.227 OF 2021

SHRADHA DHANESH KULKARNI
VERSUS
DHANESH VILAS KULKARNI

...
Advocate for Applicant : Ms. Zaware Suvarna M.
Respondent served – absent
...

CORAM : MANGESH S. PATIL, J.

DATE : 20 JULY 2022

PC :

Heard.

2. The applicant is wife of the respondent and is seeking transfer of the divorce proceeding instituted by him and pending in the Court at Beed to the Court at Shrirampur.

3. The respondent has been duly served with the notice for final disposal but has not turned up. The averments in the application go unchallenged.

4. Going by the averments in the application, since after the couple got separated, she has been staying at her parental home in Shrirampur. She has instituted a proceeding under section 125 of the Code of Criminal Procedure at Shrirampur. The applicant has a five year old child and being a lady, certainly it would be inconvenient for her to defend the proceeding by commuting between Shrirampur and

Beed which are stated to be around 170 km apart. Even if the divorce proceeding is not transferred from Beed to Shrirampur, the respondent will have to come down to Shrirampur to defend the proceeding for maintenance.

5. Instead of making both of them to commute between the places, it would be convenient for both of them if all the matters remain at one place and a possible hardship to the respondent is obviated by issuing appropriate directions to the trial Court.

6. The application is allowed.

7. Hindu Marriage Petition No. 339 of 2019 pending in the Court of Civil Judge Senior Division, Beed is transferred to the Court of Civil Judge Senior Division, Shrirampur for decision in accordance with law.

8. All the Courts taking up the matters between the couple including the present one, shall, as far as possible, list all these matters on the same day.

9. The parties shall appear before the Court at Shrirampur on 6 August 2022 and there shall be no need to issue any notice to them.

[MANGESH S. PATIL]
JUDGE

arp/