

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

MISC.CIVIL APPLICATION NO.209 OF 2021

**JYOTI AVINASH RASAL
VERSUS
AVINASH RAJENDRA RASAL**

...
Advocate for Applicant : Mr. Shashikant E. Shekade
Advocate for Respondent sole : Mr. Shoyab Shaikh
...

CORAM : MANGESH S. PATIL, J.

DATED : 08 JULY 2022

PER COURT :

Heard the learned advocates of both the sides. Perused the application as also the reply and the papers.

2. The applicant is seeking transfer of the divorce proceeding initiated by respondent and pending in a court at Barshi to the court at Ahmednagar.

3. The fact that the applicant is in an employment, she has a child which is about four years old and that she has instituted a proceeding for restitution of conjugal rights, which is pending at Ahmednagar are not disputed.

4. Even if it is a case of the respondent that she has been staying at Karjat, far away from Ahmednagar, the fact remains that the restitution

proceeding is going on at Ahmednagar.

5. Needless to state that being a serving single mother, the applicant will face hardship, if she is made to defend the divorce proceeding by commuting between Ahmednagar or Karjat and Barshi. As against which, the respondent even otherwise must have been defending the restitution proceeding at Ahmednagar.

6. It would be convenient for both the sides to allow the same court to decide both the proceedings at one place and taking care that both the proceeding are taken on the same day

7. The application is allowed.

8. The divorce proceeding bearing Hindu Marriage Petition No.66 of 2019, pending in the court of Civil Judge Senior Division at Barshi is transferred to the Family Court at Ahmednagar.

9. The parties shall appear before the Family Court at Ahmednagar on 30-07-2022 and there shall be no need for that court to issue any notice to them.

10. All the courts taking up different matters between the parties at Ahmednagar, shall, as far as possible, list all these matters on the daily cause list on the same date.

(MANGESH S. PATIL, J.)