

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

**1001 MISC.CIVIL APPLICATION NO.75 OF 2022
WITH MCA/224/2022**

**PRIYA DATTATRAY FARTADE
VERSUS
DATTATRAY VISHNUPANT FARTADE AND ANOTHER**

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Advocate for Applicant : Mr. B. R. Sable
Advocate for Respondent No.1 : Mr. R., S. Shinde

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 20/10/2022.**

P. C. :

1. Heard rival submissions.
2. In the MCA No. 75 of 2022 the applicant wife is seeking transfer of HMP NO. 153 of 2017 filed by respondent husband and pending in the court of Civil Judge (S.D.) Osmanabad to the Family Court Nanded. Whereas the applicant husband in MCA No. 224 of 2022 is seeking transfer of two proceedings namely RCC No. 19 of 2018 and PWDVA Execution No. 3 of 2021 filed at the instance of wife in the court of JMFC at Mahur, district Nanded to the court of JMFC, Latur i.e. out of district.
3. While advancing the arguments both the counsel on behalf of rival parties submitted that the purpose of both these applications would be served if all the proceedings sought to be transferred either by wife or husband to the concerned courts at Nanded only. In view of such submission, following order is passed.

ORDER

- A) Both the applications are partly allowed.
- B) The HMP No. 153 of 2017, pending in the court of learned Civil Judge Senior Division, Osmanabad is transferred to the Family Court at Nanded.
- C) Similarly, the RCC No. 19 of 2018 and PWDVA Execution No.3 of 2021 pending in the court of concerned JMFC, Mahur, are transferred to concerned JMFC, Nanded as per the allotment that may be made by Chief Judicial Magistrate, Nanded.
- D) The rival parties are directed to appear before the concerned courts at Nanded on 23/11/2022. The rival parties are also at liberty to make request to the aforesaid concerned courts at Nanded for getting suitable dates.
- E) Both the applications are accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)