

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

MISC.CIVIL APPLICATION NO.122 OF 2020

**ASHWINI PANKAJ CHOPDE
VERSUS
PANKAJ ANIL CHOPDE**

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Advocate for Applicant : Mr. Vishant P. Kadam

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CORAM : MANGESH S. PATIL, J.

DATED : 10 JUNE 2022

PER COURT :

- . Heard learned advocate for the applicant.
2. The respondent has been served with a notice for final disposal, still he has not turned up post such service.
3. The applicant is the wife of respondent and seeking transfer of a divorce proceeding instituted by him in the Family Court at Pune to the Family Court at Nanded.
4. I have heard learned advocate for the applicant. The averments in the application have not been controverted by the respondent.
5. Going by the averments in the application, since after the couple

got separated she has been staying at Nanded. She was earlier working somewhere at Pune. She has specifically averred that the respondent has not cared to pay her maintenance. She has filed couple of proceedings in the form of a proceeding under the Protection of Women from Domestic Violence Act as also lodged the F.I.R. at Nanded.

6. The distance between Pune and Nanded is more than 500 Kms. Certainly, in spite of being comparatively vulnerably party, the applicant is required to commute between such places and defend the divorce proceeding. As against this, the respondent is a businessman and may not face much of a hardship if he is required to go to Nanded to prosecute the divorce proceeding, more so, when even otherwise he will have to defend the two proceedings instituted by her and pending at Nanded.

7. A care can be taken to avoid any plausible hardship to the respondent after the divorce proceeding is transferred to Nanded by directing all the courts at Nanded to take up all the matters between the parties simultaneously as far as possible by listing the matters on the same date.

8. The application is allowed. The divorce proceeding bearing petition No.A-662 of 2020 under section 10(X) of the Divorce Act 1969 is pending in Family Court Pune is transferred to the Family Court at Nanded for decision in accordance with law.

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

(MANGESH S. PATIL, J.)