

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

MISC. CIVIL APPLICATION NO. 255 OF 2022

Gauri w/o Shreekant Kajale @
Gauri d/o Suresh Swami

Applicant

Versus

Shreekant s/o Somnath Kajale

Respondent

Mr. G. V. Mohekar, advocate for the Applicant

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 25th November, 2022.

PC :

Leave to correct prayer clause “B” in respect of number of HMP as “05 of 2021”.

Heard learned Counsel for the applicant-wife. The applicant is seeking transfer of HMP No. 05 of 2021 from the Family Court-2 of Aurangabad to the Court of learned Civil Judge, Senior Division at Ambejogai, District Beed. The aforesaid petition has been filed by the respondent-husband for getting divorce.

The learned Counsel for the applicant submits that the applicant has also filed proceeding at Ambejogai i.e. for restitution of conjugal rights. The respondent-husband,

despite service, failed to appear in the said proceeding.

It is to be noted here that the respondent-husband, though served, but remained absent. Therefore, considering convenience of the applicant-wife and keeping in mind the proceeding filed by the wife at Ambejogai, following order is passed:

- (i) Misc. Civil Application is hereby allowed.
- (ii) HMP No. 05 of 2021 is transferred from the Family Court-2, Aurangabad, to the Court of Civil Judge, Senior Division, Ambejogai, District Beed for its simultaneous disposal along with the Petition filed by the wife pending therein, according to law.
- (ii) The respondent is directed to appear before the Civil Judge, Senior Division, Ambejogai, District Beed on or before 19th December, 2022.

(SANDIPKUMAR C. MORE)
JUDGE

adb