

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

MISC.CIVIL APPLICATION NO.238 OF 2021

AARTI SHIVRAJ BONDGE
VERSUS
SHIVRAJ APPARAO BONDGE

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Advocate for the Applicant : Shri Gastgar Santosh B.

Advocate for the Respondent : Shri A.V. Lavte

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CORAM: SMT. BHARATI H. DANGRE, J.

DATE :- 15th February, 2022

Per Court:

1. Heard the learned counsel for the applicant and the respondent.
2. By the present application, the applicant/ wife is seeking transfer of Petition No.A-1749/2021 filed by the respondent/ husband under Section 13(1)(i-a) of the Hindu Marriage Act, from the Family Court at Pune to the Civil Judge, Senior Division, Ambajogai.
3. The learned counsel for the applicant states that the marriage between the parties was solemnized in the year 2018 and a child is born out of the said wedlock in the year 2019. The proceedings are instituted by the husband in the Family Court at Pune and the wife seeks transfer of the same to the Court of the Civil Judge, Senior Division, Ambajogai since she is residing at Ambajogai with her parents and three year old child. She

has expressed her inconvenience and difficulty to undertake journey to Pune on every date of hearing since approximate distance between Pune and Ambajogai is about 320 kilometers.

4. The application is opposed by the learned counsel for the respondent/ husband by stating that he is engaged in the business of architect in Pune.

5. On consideration of the rival claims of the parties, I deem it expedient to grant the application on account of the applicant having small child and undertaking travel of such long distance, would pose difficulty for her as well as child. Necessarily, this Misc. Civil Application is allowed in terms of prayer clause B, which reads thus:-

“B) Proceedings of Petition No.A-1749/2021 filed by present respondent U/Sec.13(1)(i-a) of Hindu Marriage Act, and Sec.26 of Hindu Marriage Act, against present applicant and pending before Family Court No.3 Pune may kindly be transferred to Civil Court (S.D.) Ambajogai, Dist.Beed for disposal according to law.”

6. The Family Court at Pune shall forthwith transfer Petition No.A-1749/2021 pending on it's file to the Court of the Civil Judge, Senior Division, Ambajogai.