

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

951 MISC.CIVIL APPLICATION NO.245 OF 2021

**VAISHNAVI ASHISH BIGANIYA
VERSUS
ASHISH SANTOSH BIGANIYA**

...
Mr. Avinash Aghav, Advocate for the applicant.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 07.10.2022.

ORDER:-

1. Heard learned Counsel for the applicant – wife. The respondent husband though served with final disposal notice, remained absent.

2. The applicant is seeking transfer of HMP No. 85/2021 filed by her husband in the Court of Civil Judge (Senior Division), Nifad, District Nashik for getting divorce, to the Court of Civil Judge (Senior Division), Ahmednagar. According to the applicant-wife, she is not having any source of income and therefore, it is difficult for her to travel from Ahmednagar to Nifad which is approximately 190 kms away. On the contrary, the respondent is having substantial income and he can very well attend the dates of aforesaid proceeding, if transferred to Ahmednagar. There is no oppose to the

application by the respondent, who preferred to remain absent despite service. As such, the following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) HMP No. 85/2021 pending in the Court of Civil Judge (Senior Division), Nifad, District Nashik is hereby transferred to the Court of Civil Judge (Senior Division), Ahmednagar for it's disposal according to law.
- (iii) The respondent is directed to appear before the learned Civil Judge (Senior Division) at Ahmednagar on 14th November 2022.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)