

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

MISC. CIVIL APPLICATION NO. 327 OF 2021

Sau. Nita w/o Nilesh Joshi

Applicant

Versus

Nilesh s/o Sudhir Joshi

Respondent

Mr. Afzal Husain M. Vakil, advocate for the Applicant
Mr. S. B. Kadu, advocate for the Respondent.

CORAM : SANDIPKUMAR C. MORE J.

DATE : 30th September, 2022.

PC :

Heard learned Counsel for respective parties.

The applicant-wife is seeking transfer of HMP No. 141 of 2021, filed by the respondent-husband for divorce, from the Court of Civil Judge, Senior Division, Kopergaon, District Ahmednagar, to Family Court, Dhule.

The learned Counsel for the applicant-wife submits that the wife has also filed Petition for grant of maintenance under Section 125 of the Code of Criminal Procedure in the Family Court at Dhule, and Respondent-husband is attending the dates.

On the contrary, the learned Counsel for the Respondent-husband strongly opposed the application, but in the

alternative, claimed that if the aforesaid divorce petition is transferred to the Family Court at Dhule, then it may be directed to be disposed of in time bound manner.

In view of the same, following order is passed:

- (i) Misc. Civil Application is hereby allowed and HMP No. 141 of 2021, pending in the Court of Civil Judge, Senior Division, Kopargaon, District Ahmednagar, is hereby transferred to the Family Court, Dhule for its simultaneous disposal along with E-Petition No. 11 of 2020, pending there, as expeditiously as possible.
- (ii) The Respondent-husband is directed to attend the proceedings before the Family Court, Dhule on 21st October, 2022.
- (ii) The applicant-wife shall cooperate for speedy disposal of both these petitions.
- (iv) Misc. Civil Application stands disposed of accordingly.

(SANDIPKUMAR C. MORE)
JUDGE

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