

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

927 MISC.CIVIL APPLICATION NO.310 OF 2021

ASHA RAJESH NIMBALKAR
VERSUS
RAJESH AGATRAO NIMBALKAR

...

Advocate for Applicant : Mr. K.A. Kadam
Advocate for Respondent sole : Mr. Shailesh S. Chapalgaonka

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CORAM : SMT. BHARATI H. DANGRE, J.
DATED : 23/02/2022

PER COURT :

1. Though on the last date of hearing offer was made at the instance of respondent/husband that he is ready to bear travelling expenses of wife to attend in the Court of Civil Judge, Junior Division, Malshiras, District Solapur, the learned counsel for applicant/wife declined the said offer.
2. The counsel for the applicant placed on record the medical certificate issued by private hospital dated 5.2.2022, 2.10.2020 which indicate that she is suffering from schizophrenia and is administered treatment on regular basis.
3. This is the ground which has been prayed by the learned counsel for applicant/husband when he seeks nullity of marriage in the proceedings under section 12 of Hindu Marriage Act.

4. The aforesaid ground of illness of the applicant/wife persuaded to the grant of application permitting the proceeding to be transferred to Osmanabad where the proceedings are filed by the wife under restitution of conjugal rights. Necessarily the application is allowed in terms of prayer clause 'A'. The learned Civil Judge, Senior Division, Osmanabad shall make an attempt to decide the petitions hand in hand so that any conflict of orders can be avoided and time can be saved. The application is disposed of.

[SMT. BHARATI H. DANGRE, J.]

ssc/