

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

965 MISC.CIVIL APPLICATION NO.315 OF 2021

RUPALI NILESH SUNDECHAMUTHA
VERSUS
NILESH SATISH SUNDECHAMUTHA

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Mr. V.B. Jogdand, Advocate for the applicant.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 13.10.2022.

ORDER:-

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

2. The applicant – wife is seeking transfer of Petition A. - 1188 of 2019 pending in the Family Court, Pune filed by respondent husband for getting divorce, to the Family Court, Ahmednagar. According to the applicant-wife, the distance between Pune and Ahmednagar is of 130 kms. However, the applicant is having 4 years old son who is residing with her. The respondent husband has not made any provision for maintenance to applicant and her son. Moreover, there are two proceedings are pending at Ahmednagar at the instance of applicant – wife comprising proceeding under the provisions of Protection of Women from Domestic Violence Act, 2005 and

proceeding under Section 125 of Cr.P.C. at Family Court, Ahmednagar. It is pointed out that the respondent – husband is attending the dates of aforesaid proceedings. Further, the applicant wife is not having any independent source of income. As such, considering the convenience of applicant, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) The Petition A-1188 of 2019 pending in Family Court, Pune is transferred to the Family Court at Ahmednagar for disposal according to law.
- (iii) The respondent is directed to appear before the learned Family Court, Ahmednagar on 21st November 2022.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)