

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

956 MISC.CIVIL APPLICATION NO.259 OF 2019

POOJA ASHOK DAIGUDE
VERSUS
ASHOK BHAGWAN DAIGUDE

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Mr. Annasaheb Barate, for the applicant.
Mr. A.U. Chandel, Advocate for the respondent.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 13.10.2022.

ORDER:-

1. Heard rival submissions. The applicant wife is seeking transfer of HMP No. 558 of 2019 filed by her husband respondent for getting divorce before the learned Civil Judge (Senior Division) at Pune, to the Court of Civil Judge (Senior Division), Bhoom, District Osmanabad.

2. The learned Counsel for the applicant submits that the applicant is not having any independent source of income and she has also filed proceedings under Protection of Women from Domestic Violence Act, 2005 in the Court of concerned Magistrate at Bhoom, wherein the respondent husband has appeared.

3. On the contrary, the learned Counsel for the respondent strongly opposed the application on the ground

that he is ready to bear the expenses of the applicant if she has to attend the proceedings at Pune.

4. However, it is significant to note that Pune is far away from Bhoom and the applicant is not having any independent source of income. Moreover, the respondent – husband is also attending the dates of the proceeding under Domestic Violence Act at Bhoom and therefore, it would be more convenient for the applicant – wife if the petition filed by the respondent – husband at Pune is transferred to concerned Court at Bhoom. Hence, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) The HMP No.558 of 2019 pending in the Court of Civil Judge (Senior Division), Pune is transferred to the Court of Civil Judge (Senior Division), Bhoom, District Osmanabad for disposal according to law.
- (iii) The respondent is directed to appear before the Court of Civil Judge (Senior Division), Bhoom on 21st November 2022.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)