

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

MISC. CIVIL APPLICATION NO. 23 OF 2020

Rajlaxmi Sagar Nimbalkar

Applicant

Versus

Sagar Bhalchandra Nimbalkar

Respondent

Mr. Y. H. Jadhav, advocate holding for Mr. G. A. Nagori, advocate
for the Applicant

CORAM : SANDIPKUMAR C. MORE J.

DATE : 30th September, 2022.

PC :

Heard the learned Counsel for the applicant. The Respondent-husband, despite service, remained absent.

The applicant-wife is seeking transfer of HMP No. 898 of 2019 pending in the Court of learned Civil Judge, Senior Division, Pune to the Family Court at Jalgaon.

It appears from record that after being driven out from the marital home, the applicant-wife is residing with her parents at Jalgaon, along with girl child. Moreover, the distance between Pune and Jalgaon is 445 Kms approximately. It is to be noted here that two proceedings under Section 498A of the Indian Penal Code and under Section 12 of the Protection of Women from

Domestic Violence Act, 2005, are also pending at Jalgaon, at the instance of applicant-wife.

The learned Counsel for the applicant submits that the respondent-husband is attending the dates of aforesaid proceedings at Jalgaon.

The respondent – husband, despite service, failed to appear before this Court. Therefore, taking into consideration all these aspects, following order is passed:

(i) Misc. Civil Application is hereby allowed and the HMP No. 898 of 2019, pending in the Court of learned Civil Judge, Senior Division, Pune, is transferred to Family Court at Jalgaon.

(ii) Misc. Civil Application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb