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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

MISCELLANEOUS CIVIL APPLICATION NO.311 OF 2022

Mrs. Priyanka w/o. Rahul Kumavat (Karwal) ...Applicant
Versus
Mr. Rahul S/o. Suresh Kumavat (Karwal) ...Respondent

Mr. Shriram S. Chaudhari, for the Applicant.
None for the Respondent.

**CORAM : MADHAV J. JAMDAR, J.
DATED : 16th NOVEMBER 2022**

P.C. :

1. Heard Mr. Chaudhari, learned counsel appearing for the Applicant.
2. By the present Miscellaneous Civil Application, the Applicant is seeking transfer of Petition No. A-89 of 2022 filed by the Respondent-husband from the Family Court, Aurangabad to Civil Judge, Senior Division, Pandharpur, District-Solapur.
3. This Court by order dated 22nd August, 2022, issued notice to the Respondent. Although the notice is duly

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served on the Respondent, none appears for the Respondent.

4. Mr. Chaudhari, learned counsel submits that, Applicant is staying at Pandharpur, Dist. Solapur and the distance between Pandharpur to Aurangabad is about 350 kms. He states that, health condition of the Applicant is not proper and she is not feeling well for most of the time and, therefore, she is required constant medical treatment from the Doctor at Pandharpur. He also submits that the Applicant's child is only one and half years old.

5. Although the Respondent is served, none appears for the Respondent and no affidavit of reply is filed by the Respondent. Therefore, the contentions raised in the Miscellaneous Civil Application have remained uncontroverted.

6. For the aforesaid reasons and the reasons set out in the Miscellaneous Civil Application, the same is allowed in terms of prayer clause (a) which reads as under:

“This Hon’ble Court be pleased to

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transfer the proceeding bearing Petition A. No. 89/2022 filed by the Respondent which is pending before the Family Court, Aurangabad to the Civil Judge, Senior Division, Pandharpur, Dist. Solapur.”

7. Miscellaneous Civil Application is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]