

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

950 MISCELLANEOUS CIVIL APPLICATION NO. 12 OF 2023

ABOLI ALIAS YUGANDHARA TEJPAL PATIL
VERSUS
TEJPAL PREMCHAND PATIL

...
Ms. R.S. Kulkarni – Advocate for Applicant
Mr. R.M. Deshmukh – Advocate for Respondent
....

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 21st July, 2023

PER COURT :

1. Heard rival submissions.
2. The applicant – wife is seeking transfer of Marriage Petition No. 1932 of 2022 pending in the Court C.J.S.D., Kalyan, Dist. Thane filed by respondent – husband for getting divorce, to the Family Court at Jalgaon.
3. According to the applicant – wife, she is having no source of income. Further, she has also filed three proceedings at Jalgaon. Out of them, two are already pending before the Family Court, Jalgaon for declaring the marriage as null and void and also for getting maintenance under Section 125 of

Criminal Procedure Code. The respondent – husband has already appeared there and one petition is at part heard stage. Besides, there is also one proceeding under the provisions of P.W.D.V. Act is going on in the Court of concerned Judicial Magistrate First Class, Jalgaon.

4. The learned Counsel for the respondent though opposed the application but in the alternative suggested that, the petition filed by the husband at Kalyan be decided simultaneously alongwith the petitions filed by the applicant – wife in Family Court at Jalgaon. In view of the same and considering the convenience of applicant, following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) Marriage Petition No. 1932 of 2022 pending in the Court of Civil Judge Senior Division, Kalyan, Dist. Thane, is transferred to the Family Court, Jalgaon for its simultaneous disposal alongwith the Petitions bearing Nos. A-334 of 2019 and E – 72 of 2020,

according to law.

(iii) The respondent is directed to appear before the Family Court, Jalgaon on or before 25th July, 2023.

(iv) The application is disposed of accordingly.

[SANDIPKUMAR C. MORE]
JUDGE