

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

967 MISC.CIVIL APPLICATION NO.8 OF 2023

ALKA ALIAS DAMINI MILIND NIKAM
VERSUS
MILIND SHANTARAM NIKAM

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Advocate for Applicant : Mr. A. D. Sonar

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 02/03/2023.**

P. C. :

1. Heard learned Counsel for the applicant – wife. The respondent husband, though served with notice, but remained absent.
2. The applicant – wife is seeking transfer of Petition No.A-63 of 2021 filed by respondent - husband for getting divorce, to the Family Court, Dhule from Family Court Jalgaon.
3. According to the applicant-wife, she is not having any independent source of income and also having one son of tender age to look after. Moreover, she has also filed proceedings for restitution of conjugal rights in Family Court, Dhule, wherein the respondent has appeared. It is settled that when the different proceedings are pending in different courts based on the same set of facts, then to avoid conflict of decision, those are to be dealt by one and the same court. The respondent is already appearing at Family Court, Dhule. As such, considering the convenience of applicant, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) The Petition No. A-63 of 2021 pending in Family Court, Jalgaon is transferred to the Family Court Dhule for its simultaneous disposal alongwith the petition filed by the applicant therein, according to law.
- (iii) The respondent is directed to appear before Family Court, Dhule on 01/04/2023.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)