

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

984 MISCELLANEOUS CIVIL APPLICATION NO. 18 OF 2023

AMRITA ASHISH PATIL
VERSUS
ASHISH JEEVANRAO PATIL

...
Mr. V.G. Kodale – Advocate for Applicant
Ms. H.M. Manglani – Advocate for Respondent
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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 16th June, 2023

PER COURT :

1. Heard rival submissions
2. The applicant – wife is seeking transfer of Petition A. No.2388 of 2021 filed by respondent – husband for declaring nullity of marriage from the Family Court, Pune to Family Court, Latur.
3. According to the applicant – wife, she is not having any independent source of income and after filing of aforesaid petition by the respondent – husband she has also filed two proceedings at Latur wherein the respondent is yet to be served.

4, On the contrary, learned Counsel for respondent strongly oppose the application on the ground that, the applicant – wife intentionally filed false proceeding at Latur and that too after filing of the aforesaid petition by the husband, to secure order of transfer from this Court. However, in the alternative she suggested that, if this Court comes to conclusion that, the transfer as prayed by the applicant – wife is required then the respondent – husband be granted with liberty to seek convenient dates for all the pending proceedings between himself and the applicant.

5. It is significant to note that, the respondent – husband will have to attend the proceedings at Latur filed by the applicant – wife after service of notice. Therefore, considering the distance between the Pune and Latur, it would be convenient to applicant – wife, if the petition filed by the respondent – husband is transferred to Latur from Pune. In view of the same, following order is passed :

ORDER

- (i) The application is hereby allowed.

- (ii) Petition A. No. 2388 of 2021 pending in the Family Court, Pune is hereby transferred to the Family Court at Latur for disposal according to law.
- (iii) The respondent is directed to appear before the Family Court, Latur on or before 1st July, 2023. He will be at liberty to seek convenient dates for this petition as well as proceedings filed by the applicant – wife from the concerned Court.
- (iv) The application is disposed of accordingly.

[SANDIPKUMAR C. MORE]
JUDGE