

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

959 MISCELLANEOUS CIVIL APPLICATION NO. 11 OF 2023

Sarita Vikrant Giri,
Age : 30 years, Occ. : Housewife,
R/o. : Through Mahadev Giri,
Adarshnagar, near Dudhsagar Society,
Kedgaon, Ahmednagar,
Tq. & Dist. Ahmednagar

... APPLICANT

VERSUS

Vikrant Mahadev Giri,
Age : 35 years, Occ. : Service and Business,
R/o. : Shivankun Niwas, Ganeshnagar,
Mursudpur, at post Ashti, Tq. Ashti,
Dist. Beed

... RESPONDENT

...
Ms. S.G. Sonawane – Advocate for Applicant

....

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 22nd June, 2023

PER COURT :

1. Leave to correct the number of Hindu Marriage Petition in prayer clauses 'B' and 'C' as Hindu Marriage Petition No. 158 of 2022 instead of Hindu Marriage Petition No. 6379 of 2022.

2. Heard learned Counsel for the applicant – wife. The

learned Counsel for respondent – husband despite last chance remained absent.

3. The applicant – wife is seeking transfer of Hindu Marriage Petition No. 158 of 2022 pending in the Court of 2nd Joint Civil Judge Senior Division, Beed filed by respondent – husband for getting divorce to the Family Court, Ahmednagar.

4. According to the applicant – wife, she is not having any independent source of income and handicapped. Moreover, she is also maintaining five years old daughter without any financial support from the respondent – husband. Moreover, she has also filed petition for restitution of conjugal rights in Family Court, Ahmadnagar wherein respondent – husband has appeared.

5. As such, the husband is already appearing before Family Court, Ahmednagar the petition filed by him for divorce can be conveniently transferred to Family Court, Ahmednagar to avoid conflict of decisions. In view of the same and considering convenience of the applicant – wife following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) Hindu Marriage Petition No. 158 of 2022 pending in the Court of 2nd Joint Civil Judge Senior Division, Beed is transferred to Family Court at Ahmednagar for its simultaneous disposal alongwith Petition No. A-380 of 2022 pending therein, according to law.
- (iii) The respondent is directed to appear before Family Court at Ahmednagar, on or before 15th July, 2023.
- (iv) The application is disposed of accordingly.

**[SANDIPKUMAR C. MORE]
JUDGE**