

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

**971 MISC.CIVIL APPLICATION NO.31 OF 2023**

**DHANASHREE AMIT UDAVANT  
VERSUS  
AMIT ASHOK UDAVANT**

...

Mr. Satyajit Dixit, Advocate for the applicant.  
Mr. Suhas Shirsat, Advocate for the respondent.

...

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATED : 30<sup>th</sup> March 2023.**

**ORDER:-**

1. Heard rival submissions.
2. The applicant – wife is seeking transfer of HMP No.40/2022 filed by respondent- husband for getting divorce, from the Court of Civil Judge (Senior Division), Beed to the Court of Civil Judge (Senior Division), Sangamner, District Ahmednagar.
3. According to the applicant-wife, she is not having any independent source of income and she is also having one year old son to look after. Moreover, she has also filed two proceedings namely under Section 125 of Cr.P.C. and under the provisions of Protection of Women from Domestic Violence Act at Sangamner, wherein the respondent – husband has already appeared.

4. The learned counsel for the respondent- husband strongly opposed the application on the basis of affidavit in reply filed by the respondent husband on the ground that the parents of respondent are old aged persons.

5. However, it is significant to note that the respondent is already attending the dates at Sangamner. Further the distance between Beed and Sangamner is of 270 Kms. As such, considering the convenience of applicant, following order is passed.

#### **ORDER**

- (i) The application is hereby allowed.
- (ii) HMP No.40/2022 pending in the court of Civil Judge (Senior Division), Beed is transferred to the Court of Civil Judge (Senior Division), Sangamner, Dist Ahmednagar for its disposal according to law.
- (iii) The respondent is directed to appear before the learned Civil Judge (Senior Division), Sangamner on or before 15.04.2023 and he will be at liberty to seek convenient dates for all these proceedings.
- (iv) The application is disposed of accordingly.

**(SANDIPKUMAR C. MORE, J.)**