

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

979 MISCELLANEOUS CIVIL APPLICATION NO. 40 OF 2023

DEEPALI AMOL BHANDARE
VERSUS
AMOL MARUTI BHANDARE

...

Mr. B.S. Chondhekar – Advocate for Applicant
Mr. Maniyar Irfan D. - Advocate for Respondent

....

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 22nd June, 2023

PER COURT :

1. Heard rival submissions
2. The applicant – wife is seeking transfer of Hindu Marriage Petition No. 1321 of 2021 filed by respondent – husband for getting divorce from the Court of 5th C.J.S.D., Pune to the Court of C.J.S.D., Ambejogai, Dist. Beed.
3. According to the applicant – wife, she is not having any independent source of income. Moreover, she is maintaining one daughter, aged about 7 years without any financial support from the respondent. She has also filed proceeding

under P.W.D.V. Act at Ambejogai 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 applicant herself had filed one criminal prosecution under Section 498 – A of IPC at Pimpri Chinchwad, Dist. Pune. Further, she was serving at Pune but thereafter she resigned. He also pointed out that, brother of applicant had given threats to the respondent of dire consequences.

5. However, it is significant to note that, the respondent is already attending the dates at Ambejogai, Dist. Beed and therefore, by giving certain directions to the applicant – wife following order is passed :-

ORDER

- (i) The application is hereby allowed.
- (ii) Hindu Marriage Petition No. 1321 of 2021 pending in the Court of 5th C.J.S.D., Pune is transferred to the Court of C.J.S.D.,

Ambejogai, Dist. Beed for its disposal according to law.

- (iii) The respondent is directed to appear before Court of C.J.S.D., Ambejogai, Dist. Beed on or before 15th July, 2023 and he will be at liberty to seek convenient dates for both the proceedings pending between himself and applicant at Ambejogai, Dist. Beed.
- (iv) He is also at liberty to appear through his advocate except on the dates on which his physical presence is required. He is also at liberty to use facility of Video Conferencing as per availability.
- (v) The applicant – wife shall not give any threats to the respondent – husband through her relatives at the time of attending the dates at Ambejogai.
- (vi) The application is disposed of accordingly.

[SANDIPKUMAR C. MORE]
JUDGE