

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

941 MISC.CIVIL APPLICATION NO.50 OF 2023

MAHADEVI MANISH MANDAGE
VERSUS
MANISH CHANDRAKANT MANDAGE

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Advocate for Applicants : Mr. S. V. Gundre
Advocate for Respondent : Mr. S. R. Zambare

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 11/08/2023.**

P. C. :

1. Heard rival submissions
2. The applicant – wife is seeking transfer of HMP No.1373 of 2022 filed by respondent- husband for getting divorce, from the Court of CJSD, Pune to Family Court, Latur.
3. According to the applicant-wife, she is not having any independent source of income. She has also filed two proceedings, one under PWDV Act and other under Section 498A of IPC in the court of concerned JMFC, wherein the respondent – husband has already appeared.
4. The learned counsel for the respondent- husband strongly opposed the application on the ground that the applicant – wife is not residing at Latur but she resides at Pune and also doing job there. However, no cogent material to show that she is doing job at Pune, is on record. Further, it is extremely important to note that the respondent – husband is already attending the dates at Latur in the proceedings filed by the applicant. Therefore, considering the convenience of applicant, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) The HMP No.1373 of 2022, pending in the court of CJSD, Pune, is transferred to the Family Court, Latur for its disposal according to law.
- (iii) The respondent is directed to appear before Family Court Latur on or before 01/09/2023 and he will be at liberty to seek convenient dates for all the proceedings pending between himself and applicant at Latur from the concerned courts.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)