

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

967 MISC.CIVIL APPLICATION NO.55 OF 2023

NEHA ONKAR MIRAJKAR
VERSUS
ONKAR RAJIV MIRAJKAR

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Mr. V.D. Patnurkar, Advocate for the applicant.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 13th April 2023.

ORDER:-

1. Leave to correct prayer clause "B" by mentioning the words "Civil Judge, Senior Division, Darvha, District Yawatmal" instead of "Principal Judge, Family Court, Darvha".
2. Heard learned Counsel for the applicant – wife. The respondent husband, though served, but remained absent.
3. The applicant – wife is seeking transfer of Petition No.A/122/2022 pending in the Family Court, Nanded filed by respondent - husband for getting divorce, to the Court of Civil Judge (Senior Division), Darva, District Yawatmal.
4. According to the applicant-wife, she is not having any independent source of income. The distance between Digras and Nanded is more than 200 kms. Moreover, she has also filed two proceedings. One is under the provisions of Protection of Women from Domestic Violence Act, 2005 and

other one is under Section 125 of Cr.P.C. against the respondent - husband at Digras. The respondent husband has already appeared in the aforesaid proceedings. Since the respondent is already appearing in the Court at Digras, he can very well appear at Darvha also. As such, considering the convenience of applicant-wife, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) Petition No.A/122/2022 pending in the Family Court, Nanded is hereby transferred to the Court of Civil Judge (Senior Division), Darvha, District Yawatmal for disposal according to law.
- (iii) The respondent is directed to appear before Civil Judge (Senior Division), Darvha on or before 02.05.2023.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)