

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

977 MISC.CIVIL APPLICATION NO.86 OF 2023

**JAYASHREE RAJESH SONAR
VERSUS
RAJESH VIJAY SONAR**

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Mr. A.D. Sonar, Advocate for the applicant.
Mr. M.S. Sonawane, Advocate for the respondent.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 14.07.2023

ORDER:-

1. Heard rival submissions. The applicant – wife is seeking transfer of HMP No. 91/2022 filed by respondent-husband for getting divorce, from the Court of Civil Judge (Senior Division), Amalner to the Family Court, Dhule.

2. According to the applicant-wife, she is not having any independent source of income and she is maintaining a 8 years old son without any financial aid from the respondent husband. Moreover, she has also filed one proceeding under PWDV Act at Dhule wherein the respondent husband has already appeared.

3. The learned counsel for the respondent- husband strongly opposed the application on the ground that the applicant has misled the Court. She has clearly stated in her reply to the aforesaid marriage petition that she is residing at Nashik.

4. However, it seems that the respondent husband is already attending the dates at Dhule in the proceeding filed by the applicant wife and the distance between Amalner and Dhule is only around 30 to 40 kms. As such, even if the applicant – wife has mentioned in her reply that she resides at Nashik, but considering the convenience of the applicant-wife and the fact that respondent is already attending the dates at Dhule, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) HMP No. 91/2022 pending in the Court of Civil Judge (Senior Division), Amalner is transferred to the Family Court, Dhule for its disposal according to law.
- (iii) The respondent is directed to appear before the Family Court, Dhule on or before 01.08.2023. He may seek convenient dates for all the proceedings pending at Dhule. He will be at liberty to appear in those proceedings through his lawyer except on the dates where his personal attendance is required.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)