

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

MISC. CIVIL APPLICATION NO.85 OF 2021

Vandana w/o Venkat Biradar Applicant

Versus

Venkat s/o Anandrao Biradar Respondent

Mr. M. B. Kolpe with Mr. D. T. Devene, advocates for the Applicant

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 23rd February, 2023.

PC :

Heard learned Counsel for the applicant.

The applicant is seeking transfer of HMP No.199 of 2019 filed by the respondent-husband for getting divorce, from the Court of learned Civil Judge, Senior Division, Aurangabad, to the Court of learned Civil Judge, Senior Division, Biloli, District Nanded.

According to the applicant, she is not having any source of income. Moreover, distance between Aurangabad and Nanded is 350 Kms. Further, she is also suffering from locomotor disability and, therefore, unable to travel such distance.

On the contrary, learned Counsel for the respondent remained absent. This Court has already passed order that if no

one appears on behalf of the respondent-husband, the matter will be heard and disposed of in his.

In transfer matters, convenience of the wife is to be seen ahead of convenience of the husband. In the instant matter, the applicant wife has no source of income. Moreover, she is also medically unfit to travel such distance and, therefore, following order is passed:

ORDER

(A) Misc. Civil Application is hereby allowed.

(B) The HMP No. 199 of 2019, pending before the Court of Civil Judge, Senior Division, Aurangabad, is hereby transferred to the Court of Civil Judge, Senior Division, Biloli, District Nanded, for disposal according to law.

{C} The respondent-husband is directed to appear before the CJSD, Biloli, District Nanded, on or before 15th March, 2023.

(SANDIPKUMAR C. MORE)
JUDGE

adb