

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISCELLANEOUS CIVIL APPLICATION NO. 69 OF 2023

GITANJALI W/O MAHESH SHINDE
VERSUS
MAHESH S/O DIGAMBAR SHINDE

...
Mr. D.A. Bide – Advocate for Applicant

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 21st April, 2023

PER COURT :

1. It appears from the affidavit of service filed by the learned counsel for the applicant alongwith the tracking report that, the respondent has been served by R.P.A.D. on 25th March, 2023, however, the respondent has not appeared thereafter till today.
2. Heard learned Counsel for the applicant – wife.
3. The applicant – wife is seeking transfer of Hindu Marriage Petition No.10 of 2023 pending in the Court of Civil Judge Senior Division, Pandharpur, Dist. Solapur filed by respondent - husband for getting divorce to the Family Court at Ahmednagar.
4. According to the applicant – wife, she is residing at

Ahmednagar, which is more than 200 Kilometers away from Pandharpur. Moreover, she has also filed proceedings for divorce as well as maintenance at Ahmednagar against the respondent – husband. It is now settled that, when the proceedings based on same sets of facts are pending in different Courts then to avoid conflict of decision those must be tried by one and the same Court. There is no oppose to the application. Hence, following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) The Hindu Marriage Petition No.10 of 2023 pending in the Court of Civil Judge Senior Division, Pandharpur, Dist. Solapur is transferred to the Family Court at Ahmednagar for disposal, according to law.
- (iii) The respondent is directed to appear before concerned Court on or before 15.06.2023.
- (iv) The application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE