

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

969 MISCELLANEOUS CIVIL APPLICATION NO. 89 OF 2023

ANUSHRI W/O ABHIJIT BHALSHING
VERSUS
ABHIJIT S/O AURN BHALSHING

...
Mr. R.S. Shinde – Advocate for Applicant

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 16th June, 2023

PER COURT :

1. Heard learned Counsel for the applicant – wife. The respondent husband though served with notice but remained absent.

2. The applicant – wife is seeking transfer of Marriage Petition No. 99 of 2022 pending in the Court of Civil Judge Senior Division, Vaijapur, Dist. Aurangabad filed by respondent – husband for getting divorce to the Family Court, Aurangabad.

3. According to the applicant – wife, she is residing at Aurangabad whereas the respondent resides at Ahmednagar

but he with intention to harass her filed the aforesaid proceeding at Vaijapur, Dist. Aurangabad intentionally. Moreover, she has also filed proceedings under the provisions of Protection of Women from Domestic Violence Act, 2005 against the respondent - husband and his family members. She has also filed application under Section 125 of Cr.P.C. for getting maintenance before the Family Court, Aurangabad. According to her, the respondent has already appeared before the Family Court, Aurangabad in that proceeding.

4. There is no oppose to the application and, therefore, since the respondent is appearing before the Family Court, Aurangabad, following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) Marriage Petition No. 99 of 2022 pending in the Court of Civil Judge Senior Division, Vaijapur, Dist. Aurangabad is transferred to the Family Court, Aurangabad for its simultaneous disposal alongwith the

petition of applicant pending therein,
according to law.

- (iii) The respondent is directed to appear before
the Family Court, Aurangabad on or before
10th July, 2023.
- (iv) The application is disposed of accordingly.

[SANDIPKUMAR C. MORE]
JUDGE