

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

979 MISC.CIVIL APPLICATION NO.83 OF 2023

**SOW. MUKTABAI SHIVNARAYAN TAMBARE
VERSUS
SHIVNARAYAN BHAURAO TAMBARE**

...
Mr. L.H. Kawale, Advocate holding for Mr. Dhananjay Shinde,
Advocate for the applicant.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 08.06.2023.

ORDER:-

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 HMP No.29/2023 filed by respondent - husband for getting divorce, from the Court of 5th Jt. Civil Judge (Junior Division), Akola to the Court of Civil Judge (Senior Division), Hingoli.
3. According to the applicant-wife, she is not having any independent source of income. She has also filed proceedings under the provisions of Protection of Women from Domestic Violence Act, 2005 and proceeding under Section 125 of Cr.P.C. against the respondent - husband in the Court of concerned J.M.F.C. Hingoli. There is no oppose to the application and the respondent will have to appear in the proceedings filed by applicant wife at Hingoli. Therefore, considering the convenience of applicant, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) HMP No. 29/2022 pending in the Court of 5th Jt. Civil Judge, Junior Division, Akola is transferred to the Court of Civil Judge Senior Division, Hingoli for its disposal according to law.
- (iii) The respondent is directed to appear before the learned Civil Judge, Senior Division, Hingoli on or before 15th July 2023.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)