

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

979 MISC.CIVIL APPLICATION NO.76 OF 2022

**JYOTI TUSHAR JADHAV
VERSUS
TUSHAR SHRIRAM JADHAV**

...

Mr. M.P. Gandale, Advocate for the applicant.

Mr. D.A. Naik, Advocate for the respondent.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 13th April 2023.

ORDER:-

1. Leave to correct prayer clause (B) by inserting the words “Family Court, Beed” instead of “Civil Judge, Senior Division, Beed”.
2. Heard rival submissions.
3. The applicant – wife is seeking transfer of HMP No.33/2019 filed by respondent- husband for getting divorce, from the Court of Civil Judge (Senior Division), Parbhani to the Family Court, Beed. The learned Counsel for the respondent made a candid statement before this Court, that the respondent is not having any objection to the transfer as claimed by the applicant wife since he has also filed custody matter against the applicant in Family Court, Beed. However, his anxiety is that the brother of applicant is of quarrelsome

nature and he may threaten the respondent at the time of attending the dates at Beed.

4. the learned Counsel for the applicant undertakes to take care of brother of applicant by giving understanding to him not to give any trouble to the respondent husband while attending the dates at Family Court, Beed.

5. In view of the same, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) HMP No.33/2019 pending in the court of Civil Judge (Senior Division), Parbhani is transferred to the Family Court, Beed for its simultaneous disposal with custody application bearing D.No. 21/2021 filed by the respondent therein, according to law.
- (iii) The respondent is at liberty to seek convenient dates from the Family court, Beed for both the proceedings and directed to appear before Family Court, Beed on or before 02.05.2023
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)