

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

972 MISC.CIVIL APPLICATION NO.91 OF 2017

MRS. CHITRALEKHA BALASAHEB PATEKAR
VERSUS
BALASAHEB MAHADEV PATEKAR

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Advocate for Applicant : Mr. Shankar Kendre h/f
Mr. S. S. Panale

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 15/06/2023.**

P. C. :

1. Leave to correct prayer clause-B by inserting the name of Family Court of Aurangabad instead of CJSD, Aurangabad.
2. Heard learned Counsel for the applicant – wife. The respondent husband, though appeared through learned advocate Mr. Amol Gaikwad, but the said advocate could not file his Vakalatnama. Moreover, the learned counsel for the respondent had also made a statement that he was not in contact with his client. However, no steps were taken by him to intimate the respondent. I have already observed in the order dated 20/01/2023 that this matter will be heard today in absence of respondent or his advocate. Today neither the respondent nor his advocate is present.
3. The applicant – wife is seeking transfer of HMP No.131 of 2016 pending in the court of CJSD, Beed filed by respondent - husband for getting divorce, to the Family Court, Aurangabad.
4. According to the applicant-wife, she is not having any source of income. Moreover, she has also filed proceedings under the

provisions of Protection of Women from Domestic Violence Act, 2005 against the respondent – husband at Aurangabad, wherein the respondent has already appeared. There is no oppose to the application. It is significant to note that respondent / husband is already attending the dates at Aurangabad and therefore, considering the convenience of applicant, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) The HMP No.131 of 2016 pending in the court of CJSD, Beed is transferred to the Family Court, Aurangabad for disposal according to law.
- (iii) The respondent is directed to appear before Family Court, Aurangabad, on or before 15/07/2023.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)