

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

993 MISCELLANEOUS CIVIL APPLICATION NO. 125 OF 2023

Kishor Prabhakar Jadhav,
Age : 46 years, Occ. : Service,
R/o. : Shelar Wadi, Doodh Dairy Road, Dhule,
presently residing at Nagpur ... **APPLICANT**

VERSUS

Vishakha Kishor Jadhav,
Age : 37 years, Occ. : Service,
R/o. : Khanduji Male, Chaitanya Nagar, near
Mangesh Medical, Toroda, Nanded ... **RESPONDENT**

...
Mr. C.C. Deshpande – Advocate for Applicant

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 30th June, 2023

PER COURT :

1. Heard learned Counsel for the applicant – husband. The respondent – wife despite service remained absent. The applicant – husband is claiming transfer of petition No. A-89 of 2020 to Family Court, Nagpur from Family Court, Nanded.
2. The learned Counsel for the applicant submits that, initially the present petition was filed at Vasai, Dist. Thane

when the applicant was in service there. However, on the application of respondent – wife the aforesaid petition was transferred to Family Court, Nanded and this Court had also directed that the said petition be disposed of expeditiously by Family Court at Nanded.

3. The learned Counsel for the applicant also pointed out that, the applicant had already filed his affidavit-in-evidence in the aforesaid petition on 16th September, 2021 but the advocate of the respondent – wife is avoiding to take cross-examination of the applicant despite direction of this Court to decide the matter expeditiously. The petition at Family Court, Nanded is part heard and therefore it would not be advisable to transfer the same to Family Court, Nagpur at this juncture. However, directions can be given to concerned Family Court, Nanded to decide the same in time bound manner. As such, following order is passed :

ORDER

- (i) The application is hereby rejected.
- (ii) However, the Family Court, Nanded is

directed to decide the Petition No. A-89 of 2020 filed by the applicant within a period of six months from the date of this order.

(iii) The respondent – wife shall not claim any unnecessary adjournments and shall cooperate for early disposal of the aforesaid proceeding as directed.

(iv) The application is disposed of accordingly.

[SANDIPKUMAR C. MORE]
JUDGE