

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

908 MISC.CIVIL APPLICATION NO.178 OF 2022

**RANI PRAMOD BHANGRE AND ANOTHER
VERSUS
PRAMOD TUKARAM BHANGRE AND OTHERS**

...
Advocate for Applicants : Mr. A. M. Reddi h/f.
Mr. Kiran D. Bhange
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 06.01.2023

PER COURT :

Heard. Learned counsel for the applicants submits that respondent Nos. 2 to 5, who are the in-laws of applicant No.1 are duly served by the applicants, but remained absent. On the other hand, the respondent No.1 -husband as per the affidavit in service is also served at the address of his office at Alibag by R.P.A.D. and the acknowledgment receipt is also on record.

2. The applicants are seeking transfer of Misc. Criminal Application No. 303/2019 pending before the learned Judicial Magistrate First Class, Akole, Dist. Ahmednagar filed by herself under the provisions of Protection of Women from Domestic Violence Act against the respondent when she was residing in her parents house, to the Court of 4th Jt.Civil Judge Junior Division/Judicial Magistrate

First Class, at Kalyan. The learned counsel for the applicants submits that the applicant No.1 is in service with P.W.D. as a Junior Clerk at Mulund and she is residing at Titwala (East), Thane. Moreover, she is having one daughter and therefore the aforesaid proceeding is required to be transferred at Kalyan for her convenience. The respondent -husband despite service remained absent and therefore considering the convenience of the applicant wife, following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) The Misc. Criminal Application No. 303/2019 is hereby transferred from the Court of the learned Judicial Magistrate First Class, Akole, Dist. Ahmednagar to the Court of the learned 4th Jt.Civil Judge Junior Division/Judicial Magistrate First Class, Kalyan, Dist. Thane for disposal according to law.
- (iii) The respondents are directed to appear before the learned 4th Jt.Civil Judge Junior Division/Judicial Magistrate First Class, Kalyan, Dist. Thane, on or before 01.02.2023.
- (iv) Application is disposed of accordingly.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-