

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

982 MISC.CIVIL APPLICATION NO.139 OF 2023

**SHRUTI AKSHAR SANDBHOR @
SHRUTI DIGAMBAR TAUR
VERSUS
AKSHAY ABHIMANYU SANDBHOR**

...

Mr. Nilkanth Batule, Advocate for the applicant.
Ms. Nikita Gore, Advocate holding for Mr. S.R. Sapkal,
Advocate for the respondent.

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 14.07.2023

ORDER:-

1. Heard rival submissions. The applicant – wife is seeking transfer of HMP No. 297 of 2022 filed by respondent-husband for getting divorce, from the Court of Civil Judge (Senior Division), Khed, District Pune to the Civil Judge (Senior Division), Ahmednagar.
2. According to the applicant-wife, she is not having any independent source of income. Moreover, she has also filed one proceeding under u/s 9 of Hindu Marriage Act at Ahmednagar wherein the respondent husband has appeared.
3. The learned counsel for the respondent- husband strongly opposed the application on the ground that the distance between Mungi, District Ahmednagar and Khed is not so much that the applicant would suffer difficulty in attending the dates at Khed.

4. However, it seems that the respondent husband is already attending the dates at Ahmednagar in the proceeding filed by the applicant wife. Moreover, it is now settled that when the different proceedings are pending in different Courts which are based on same set of facts and between the same parties, then those must be decided one and the same Court. As such, considering the convenience of the applicant-wife, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) HMP No.297 of 2022 pending in the Court of Civil Judge (Senior Division), Khed, District Pune is transferred to the Court of Civil Judge (Senior Division), Ahmednagar for its disposal according to law.
- (iii) The respondent is directed to appear before the court of Civil Judge (Senior Division), Ahmednagar on or before 05.08.2023. He may seek convenient dates for all the proceedings pending at Ahmednagar and Shevgaon between himself and the applicant. He will be at liberty to appear in those proceedings through his lawyers except on the dates where his personal attendance is required.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)