

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

965 MISC.CIVIL APPLICATION NO.152 OF 2019

VARSHARANI LAHU LOHAR
VERSUS
LAHU RAM LOHAR

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Advocate for Applicant : Mr. Bhumkar R. P.
Advocate for Respondent : Mr. R. D. Thorat

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 19th January, 2023

ORDER:

1. Heard rival submissions.
2. The applicant wife is seeking transfer of Hindu Marriage Petition No. 50/2018 filed by the respondent husband for getting divorce, from the Court of learned CJSD, Omerga, Dist. Osmanabad to the Court of learned CJSD, Pandharpur, Dist. Solapur.
3. According to the applicant wife, she is not having any independent source of income. Further, the applicant wife has also filed three petitions at Pandharpur namely HMP No. 177/2018 u/s 9 of Hindu Marriage Act, Criminal Misc. Application No. 618 of 2018 under the provisions of PWDV Act and Cri. Misc. Application No. 528 of 2017 u/s 125 of Cr.P.C, wherein, the respondent husband has already appeared.
4. Though the learned counsel for the respondent has strongly opposed the application, but as per the current view of the Hon'ble Aepx Court as well as this Court, when the different matters based on same set of facts are being tried by

different courts, it is advisable that all these matters need to be decided by one and the same court. Even otherwise also, the respondent will have to attend the dates at Pandharur in the proceedings filed by the applicant wife and therefore, considering the convenience of the applicant, the proceeding from Omerga needs to be transferred to Pandharpur for proper adjudication. Hence the following order is passed:

O R D E R

- i. The application is hereby allowed.
- ii. The HMP No. 50 of 2018 is hereby transferred from the Court of learned CJSD, Omerga District Osmanabd to the Court of CJSD Pandharpur, Dist. Solaur for its simultaneous disposal alongwith HMP No. 177 of 2018 pending therein.
- iii. The respondent husband is directed to appear before the court of CJSD, Pandhapur on or before 1st March, 2023.
- iv. The respondent is at liberty to seek convenient dates from the concerned courts in respect of the aforesaid all the proceedings pending between the parties.
- v. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

JPChavan