

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

977 MISC.CIVIL APPLICATION NO.185 OF 2021

MEGHANJALI SUNY GADDELU AND ORS
VERSUS
SUNY DAMODHAR GADDELU

...
Advocate for Applicant : Mr. Tarde Vivek V.
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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 03.02.2023

PER COURT :

Heard learned counsel for the applicant. The respondent and his counsel despite last chance, remained absent.

2. The applicant is seeking transfer of Petition A No. 248/2021 filed by the respondent -husband for getting divorce from Family Court, Pune to Family Court, Ahmednagar.

3. According to the applicant, she is not having any source of income and she has look after two children of tender age. Moreover, the applicant has also filed two proceedings at Ahmednagar. One is under Section 125 of the Code of Criminal Procedure and other one is under the provisions of Protection of Women from Domestic Violence Act, 2005. The respondent -husband has already appeared in those proceedings.

4. It is significant to note that the respondent despite appearance through advocate remained absent. The learned counsel for the respondent remained absent despite grant of last chance. As per the latest view of the Hon'ble Apex Court, the convenience of the wife is to be seen ahead of the convenience of the husband. Moreover, the applicant is not having any source of income and therefore, considering the convenience of the applicant, following order is passed :

ORDER

- (i) The application is allowed.
- (ii) Petition A No.248/2021 is hereby transferred from the Family Court Pune to Family Court, Ahmednagar for disposal according to law.
- (iii) The parties are directed to appear before Family Court, Ahmednagar, on or before 01.03.2023.
- (iv) Application is disposed of accordingly.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-