

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

978 MISC.CIVIL APPLICATION NO.204 OF 2022

SWAPNALI SAMEER PAWAR
VERSUS
SAMEER CHANDRAKANT PAWAR

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Mr. P.S. Chavan, advocate for the applicant.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20th January 2023.

ORDER:-

1. Heard learned Counsel for the applicant. The respondent husband, despite service remained absent.

2. The applicant is seeking transfer of Marriage Petition 1746/2021 filed by the respondent for getting divorce, from the Court of 12th Civil Judge (Senior Division), Pune to the Court Civil Judge (Senior Division), Osmanabad. It appears that the applicant is not having any source of income and distance between Pune and Osmanabad is of 260 kms. Therefore it is highly difficult for the applicant to attend the dates at Pune without any financial assistance. Moreover, the applicant has also filed proceedings namely RCC No.21/2022 under Section 498-A and others of the Indian Penal Code and PWDVA Case No. 33/2022 against the respondent husband at Kalamb, District Osmanabad. The

respondent has already appeared in the criminal prosecution under Section 498-A of IPC. Thus, respondent will have to attend the dates at Kalamb and therefore, the petition filed by him at Pune can be conveniently transferred to the Court at Osmanabad. Hence, the following order is passed.

ORDER

- (i) The application is allowed.
- (ii) Marriage Petition No. 1746/2021 is hereby transferred to the Court of Civil Judge (Senior Division), Osmanabad from the Court of 12th Civil Judge (Senior Division), Pune for its disposal according to law.
- (iii) The respondent is directed to appear before the learned Civil Judge (Senior Division), Osmanabad on or before 15th February 2023.
- (iv) The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)