

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

958 MISCELLANEOUS CIVIL APPLICATION NO. 246 OF 2022

Sonali Nitin Raibole,
Age : 21 years, Occ. : Household,
R/o. : Dropada Niwas, Nayak Nagar,
Nanded, Tq. & Dist. Nanded ... **APPLICANT**

VERSUS

Nitin Digambar Raibole,
Age : 31 years, Occ. : Service,
R/o. : House No. 28, Gut No. 30,
Maji Sainik Colony, Padhegaon,
Tq. & Dist. Aurangabad ... **RESPONDENT**

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Mr. N.B. Khandare – Advocate for Applicant
Mr. D.U. Manwatkar h/f. Mr. S.S. Randive – Advocate for
Respondent

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 22nd June, 2023

PER COURT :

1. Heard rival submissions.
2. The applicant – wife is seeking transfer of Marriage
Petition No. A – 272 of 2022 filed by respondent – husband for
getting divorce, from Family Court, Aurangabad to the Family
Court at Nanded.

3. According to the applicant – wife, she is not having any independent source of income. Moreover, distance between Aurangabad and Nanded is around 300 Kilometers and therefore, she is unable to attend the dates at Aurangabad without any financial support from respondent – husband. Further, she has also filed two proceedings one under Protection of Women from Domestic Violence Act and other under Section 125 of Criminal Procedure Code in concerned Courts at Nanded.

4. The learned Counsel for the respondent – husband strongly opposed the application on the basis of affidavit in reply filed by the respondent – husband on the ground that, the respondent is residing at Trichy, State – Tamilnadu and therefore it is convenient for him to attend the dates at Aurangabad than Nanded.

5. However, there is no question of air connectivity but the railway facility is available for the respondent – husband and it would be easier for him to attend the dates at Nanded instead of Aurangabad since he is residing at Trichy in

Tamilnadu State. Further, he will have to attend the dates at Nanded in the proceedings filed by the applicant – wife and therefore, considering the convenience of applicant – wife, following order is passed :

ORDER

- (i) The application is hereby allowed.
- (ii) Petition No. A-272 of 2022 pending in Family Court at Aurangabad is transferred to the Family Court at Nanded for its disposal according to law.
- (iii) The respondent is directed to appear before the Family Court, Nanded on or before 15th July, 2023 and he will be at liberty to seek convenient dates for all the proceedings pending between himself and applicant at Nanded.
- (iv) The application is disposed of accordingly.

**[SANDIPKUMAR C. MORE]
JUDGE**