

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISCELLANEOUS CIVIL APPLICATION NO. 247 OF 2022

ARYA ALIAS NEHA SHAILENDRASINGH RAJPUT
VERSUS
SHAILENDRASINGH JAGDIPSINGH RAJPUT

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Ms. A.R. Mate h/f. Ms. M.S. Mhase – Advocate for Applicant
Mr. Mukul Deshmukh h/f. Mr. H.F. Pawar – Advocate for
Respondent

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 27th April, 2023

PER COURT :

1. Heard rival submissions
2. The applicant – wife is seeking transfer of Hindu Marriage Petition No.110 of 2022 filed by the respondent – husband for getting divorce to the Court of Civil Judge Senior Division, Nilanga, Dist. Latur from the Court of Civil Judge Senior Division, Khamgaon.
3. According to the applicant – wife, she is not having any independent source of income. Moreover, the distance between Khamgaon and Nilanga is of 290 Kilometers and, therefore, it

would be difficult for her to attend the dates at Khamgaon in absence of any monetary assistance.

4. The learned Counsel for the respondent – husband strongly opposed the application on the ground that, respondent is ready to pay the conveyance charges to the applicant, if she has to attend the dates at Khamgaon. However, when there are two different proceedings filed between the same parties on same set of facts, then these proceedings are to be dealt by one and the same Court. As such, considering the convenience of applicant, following order is passed :-

ORDER

- (i) The application is hereby allowed.
- (ii) The Hindu Marriage Petition No. 110 of 2022 pending in the Court of Civil Judge Senior Division, Khamgaon, Dist. Buldhana is transferred to the Court Civil Judge Senior Division, Nilanga, Dist. Latur, for its simultaneous disposal alongwith the

petition filed by the applicant – wife pending therein, according to law.

- (iii) The respondent is directed to appear before Court Civil Judge Senior Division, Nilanga on or before 15th June, 2023.
- (iv) The application is disposed of accordingly.

[SANDIPKUMAR C. MORE]
JUDGE