

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

990 MISC.CIVIL APPLICATION NO.242 OF 2022

PRATIMA ATUL AHVAD
VERSUS
ATUL ASHOK AVHAD

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Advocate for Applicant : Mr. R. V. Naiknavare

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 05/01/2023.**

P. C. :

1. Leave to correct the prayer clause-B by mentioning Family Court, Osmanabad instead of Chief Judicial Magistrate, Osmanabad and the spelling of surname of applicant in title clause.
2. Heard learned counsel for the applicant. The respondent husband though served, but remained absent.
3. The applicant is seeking transfer of Petition No. A-344 of 2022 filed by the respondent husband for getting divorce from Family Court, Nashik to Family Court, Osmanabad.
4. According to the applicant, she is not having any independent source of income. Moreover, she has also filed proceeding for restitution of conjugal rights against the respondent husband in Family Court, Osmanabad, wherein the respondent has already appeared. Moreover, the distance between Osmanabad and Nashik is more than 350 Kms. As such, considering all these aspects and the convenience of the applicant wife, following order is passed.

ORDER

- (i) The application is hereby allowed.
- (ii) The A Petition No.344 of 2022, pending in Family Court, Nashik is transferred to the Family Court, Osmanabad for its simultaneous disposal alongwith HMP No.118 of 2022, pending therein and filed by the applicant, according to law.
- (iii) The respondent is directed to appear before Family Court, Osmanabad on or before 01/02/2023.
- (iv) The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)